

CONSTITUTION COMMITTEE:

10 September 2010

REPORT OF THE MONITORING OFFICER

AGENDA ITEM: 5

Scheme of Delegations

Reason for this Report

1. To enable the Committee to consider various recommended amendments to the Constitution Scheme of Delegations.

Background

2. The Committee's approved Terms of Reference are:

To review the Council's Constitution, and to recommend to Council and/or Executive any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies.
- (b) Updating to reflect legislative changes and matters of record.
- (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).

3. At its meeting on 15 January 2010 the Committee:

- (i) was informed of changes made by the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) (Amendment) Regulations 2009 (SI 2009/260) – 'the New Regulations' and necessary amendments to the Scheme of Delegations as a result of the same; and
- (ii) considered widening the exercise of the Corporate Director delegations to all officers on the Council's Corporate Management Team.

4. In respect of the New Regulations, the Committee recommended to Council certain amendments to the Scheme of Delegations; and instructed the City and County Solicitor to consult with the service areas concerned as to the proper allocation of certain highways and public rights of way functions (which had been made local choice functions under the New Regulations), and to report

back to the Committee with recommendations in this regard. Section (I) of this report addresses this issue.

5. In respect of the recommendations regarding widening Corporate Director delegations to all Corporate Management Team officers, certain members of the Committee expressed the view that the proper role of the officers concerned (City and County Treasurer, Solicitor and Chief People & Organisational Development Officer) is to advise and challenge decision makers; that additional decision making powers are not necessary or appropriate for these officers; and that the number of Corporate Director level decisions required on a day to day basis is manageable by the existing Corporate Directors. The Chair requested that the City and County Solicitor be asked to respond to these concerns at a future Committee meeting and a decision on this matter be deferred until then. Section (II) of this report addresses this issue.
6. Other constitution related issues have been raised as requiring consideration, clarification and or amendment, namely:
 - (i) the authorisation of compensation payments in respect of complaints made against the Council. Section (III) of this report addresses this issue; and
 - (ii) the arrangements for procuring framework agreements and orders placed under the same. A separate report is being prepared on this and any proposed amendments to the Constitution which are required to reflect the proposed way forward will be reported to a future meeting of this Committee for approval.

Issues

(I) Allocation of responsibility for certain highways and public rights of way functions

7. A full list of the highways and public rights of way functions which are now matters for local choice is set out in **Appendix A**. Responsibility for these functions (except for paragraph (a) of Appendix A, relating to the execution of highways works agreements, which remains a local choice function, and has previously been determined to be a Council function and delegated to the Monitoring Officer and Chief Officer), must be determined by the Council.
8. As previously instructed by this Committee, the Council's Highways and Waste Management and Strategic Planning and Environment service areas have been consulted on their views on this issue and this report sets out the results of this consultation.
9. During the service area consultation, it was noted that the majority of the functions in question were previously (prior to the 2007 regulations which inadvertently transferred responsibility to the Executive) Council functions exercised by the Planning Committee, without any noted impediment. The list of functions in Appendix A is marked to show the same. Further, the additional related highways functions added by the New Regulations are similar and

complementary to those functions previously exercised by the Planning Committee.

10. The function of making 'modification orders' (under section 53 of the Wildlife and Countryside Act 1981) to add or change a public right of way on the Definitive Map which the Council is obliged to maintain, is thought to benefit from the opportunity of public airing offered by a Committee meeting, and it is suggested that this is the most effective way of dealing with these matters. The Council receives on average 1 or 2 such applications each year, so this is thought unlikely to represent an unduly onerous work burden.
11. On the basis of the above, this report recommends that all the highways and public rights of way functions listed in **Appendix A** (save for paragraph (a) thereof) should once again be allocated as Council functions and delegated to the Planning Committee.
12. It is suggested that the Planning Committee may decide to further delegate some of these functions to officers as it considers appropriate, retaining responsibility for functions which may be more appropriate for the Committee to exercise, for example, modification orders (under s.53 Wildlife and Countryside Act 1981) as referred to in paragraph 8 above; possibly also public path creation, diversion and extinguishment orders (under sections 26, 118 & 119 Highways Act 1980) where compensation may be payable to affected landowners; and any other functions as appropriate. Any delegation of these functions to officers will be a matter for the Planning Committee to consider and determine (and any such delegations must be notified to the City and County Solicitor who maintains a record of all officer delegations in accordance with the requirements of section 100G of the Local Government Act 1972).

(II) Corporate Director Delegations

13. The Committee is invited to give further consideration to the recommendation that the City and County Treasurer, City and County Solicitor and Chief People and Organisational Development Officer (as members of the Corporate Management Team) be permitted to exercise the delegated authority given to Corporate Directors under the Scheme of Delegations, such authority to be: (i) exercisable by the specified officers in addition to any other delegated powers currently available to them as Chief Officers under the Scheme of Delegations; and (ii) provided that where such officers exercise a Corporate Director delegation, they must comply with all requirements relating to Corporate Director decisions (eg. as to form, publication, call-in etc).
14. The relevant background and reasoning for this recommendation is set out at paragraphs 14 to 17 of the report to the January Committee meeting, appended as **Appendix B**.
15. Further, it is recommended that Corporate Directors should be empowered to make any decisions delegated under the Scheme of Delegations to a Chief Officer or Operational Manager, and that for the avoidance of doubt, an

amendment should be made to this effect; and a similar amendment made for Chief Officers in respect of decisions delegated to Operational Managers.

(III) Compensation Payments in respect of Complaints

16. The Council's Complaints Policy was approved by the Council and introduced in July 2007, and includes at paragraph 1.11 the following provision:

‘1.11 Compensation

Chief Officers will have delegated authority to settle complaints in the most appropriate manner which may include an apology, rectification, or in exceptional circumstances a monetary payment up to a maximum of £100.

Chief Officers will have further delegated authority to settle Ombudsman's recommendations under Section 21 of the Public Services Ombudsman (Wales) Act 2005, up to a maximum of £1,000.’

17. Under the Scheme of Delegations, the ‘power to make payments or provide other benefits in cases of maladministration etc’ is a local choice function which has been allocated to Council but not delegated further. The Scheme of Delegations therefore needs to be amended to reflect the Council's approved Complaints Policy as set out in paragraph 16 above.

Recommended amendments to Scheme of Delegations

The recommended amendments set out in Sections (I), (II), and (III) of this report are shown on the Amended Scheme of Delegations attached as **Appendix C**.

Legal Implications

18. The Local Government Act 2000 and the Local Authority Constitution (Wales) Direction 2002 requires the authority to keep its constitution up to date.

Financial Implications

19. There are no financial implications arising from this report

Recommendations

The Committee is recommended to recommend to Council the following amendments to the Scheme of Delegations:

- (i) the local choice highways and public rights of way functions listed in **Appendix A** (save for paragraph (a) thereof) be allocated as Council functions and delegated to the Planning Committee;
- (ii) the Corporate Director delegations be amended as referred to in paragraphs 13 and 15 of this report; and
- (iii) Chief Officers be given delegated authority to make compensation payments in respect of complaints as set out in paragraph 16 of this report,

as shown on the Amended Scheme of Delegations appended as **Appendix C**.

Kate Berry

City and County Solicitor

29 June 2010

Appendices

- A Highways functions for Local Choice determination (pursuant to SI2009/2983)
- B Report of the Monitoring Officer to Constitution Committee 15 January 2010 'Amendments to Scheme of Delegations – new Functions and Responsibilities Regulations; and Corporate Director Delegations'
- C Amended Scheme of Delegations (amendments marked)

HIGHWAYS FUNCTIONS
For LOCAL CHOICE

(pursuant to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) (Amendment) Regulations 2009 (SI 2009/260))

- (a) the making of agreements for the execution of highways works;
- (b) the functions contained in the following provisions of Part III of the Highways Act 1980 (creation of highways)—
- (i) section 25 – creation of footpath, bridleway or restricted byway by agreement;
 - (ii) section 26 – compulsory powers for creation of footpaths, bridleways or restricted byways;
- (c) the functions contained in the following provisions of Part VIII of the Highways Act 1980 (stopping up and diversion of highways etc)—
- (i) section 116 – power of magistrates’ court to authorise stopping up or diversion of highway;
 - (ii) section 117 – application for order under section 116 on behalf of another person;
 - (iii) section 118 – stopping up of footpaths, bridleways and restricted byways;
 - (iv) section 118ZA – application for a public path extinguishment order;
 - (v) section 118A – stopping up of footpaths, bridleways and restricted byways crossing railways;
 - (vi) section 118B – stopping up of certain highways for purposes of crime prevention etc;
 - (vii) section 118C – application by proprietor of school for special extinguishment order;
 - (viii) section 119 – diversion of footpaths, bridleways and restricted byways;
 - (ix) section 119ZA – application for a public path diversion order;
 - (x) section 119A – diversion of footpaths, bridleways and restricted byways crossing railways;
 - (xi) section 119B – diversion of certain highways for purposes of crime prevention etc;
 - (xii) section 119C – application by proprietor of school for special diversion order;
 - (xiii) section 119D – diversion of certain highways for protection of sites of special scientific interest;
 - (xiv) section 120 – exercise of powers of making public path extinguishment and diversion orders;
 - (xv) section 121B – register of applications;
- (d) the functions contained in the following provisions of Part IX of the Highways Act 1980 (lawful and unlawful interference with highways and streets)—
- (i) section 130 – protection of public rights;
 - (ii) sections 139 – control of builders’ skips;
 - (iii) section 140 – removal of builders’ skips;
 - (iv) section 140A(1) – builders’ skips: charges for occupation of the highway;
 - (v) section 142 – licence to plant trees, shrubs etc in a highway;
 - (vi) section 147 – power to authorise erection of stiles etc on footpath or bridleway;

(vii) section 147ZA(1) – agreements relating to improvements for benefit of persons with mobility problems;

(viii) section 149 – removal of things so deposited on highways as to be a nuisance etc;

(ix) section 169 – control of scaffolding on highways;

(x) section 171 – control of deposit of building materials and making of excavations in streets;

(xi) section 171A(2) and regulations made under that section – works under s169 or s171: charge for occupation of the highway;

(xii) section 172 – hoardings to be set up during building etc;

(xiii) section 173 – hoardings to be securely erected;

(xiv) section 178 – restriction on placing of rails, beams etc over highways;

(xv) section 179 – control of construction of cellars etc under street;

(xvi) section 180 – control of openings into cellars etc under streets, and pavement lights and ventilators;

(e) exercising functions under section 34 of the Wildlife and Countryside Act 1981 (limestone pavement orders); and

(f) exercising functions under section 53 of the Wildlife and Countryside Act 1981 (duty to keep definitive map and statement under continuous review).

NB:

The highlighted functions are those which were previously (pre-2007) Council functions delegated to the Planning Committee

APPENDIX B

CARDIFF COUNCIL CYNGOR CAERDYDD



CONSTITUTION COMMITTEE:

15 January 2010

REPORT OF THE MONITORING OFFICER

AGENDA ITEM: 2

Amendments to Scheme of Delegations – new Functions and Responsibilities Regulations; and Corporate Director Delegations

Reason for this Report

1. To enable the Committee to consider recommended amendments to the Scheme of Delegations to :
 - (i) reflect the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) (Amendment) Regulations 2009 (SI 2009/260); and
 - (ii) widen the exercise of Corporate Director delegations under the Council's current corporate management arrangements.

Background

2. The Committee's approved Terms of Reference are:

To review the Council's Constitution, and to recommend to Council and/or Executive any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-

- (a) Drafting improvements to enhance clarity and remove minor anomalies.
- (b) Updating to reflect legislative changes and matters of record.
- (c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).

Issues

- (I). The Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) (Amendment) Regulations 2009 (SI 2009/260) – 'the New Regulations'

3. The responsibility for the exercise of functions of the Authority is governed by legislation (including regulations) and the Constitution and Scheme of Delegations is drafted in accordance with the same. The New Regulations came into force on 2nd December 2009 and amend the previous regulations (the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007). The main changes requiring attention are as follows:

Highways and Public Rights of Way Functions

4. Certain functions under the Highways Act 1980 and the Wildlife and Countryside Act 1981, which had featured in the earlier (2001) regulations, were omitted from the consolidated 2007 Regulations (such as the power to create, stop up and divert footpaths and bridleways). This had the unintended effect of transferring such responsibilities from the council to the executive. (Prior to the 2007 Regulations, responsibility for various functions relating to public rights of way had been delegated by this Council to the Planning Committee.) Following representations from a number of local authorities, the New Regulations provide that these functions are now ones for local choice. This enables authorities to decide for themselves whether to maintain these functions as the responsibility of the executive or return them to a committee of the full council.
5. In addition, the New Regulations include a number of other related functions under the Highways Act 1980 as ones for local choice. These include powers concerning the stopping up and diversion of certain highways, footpaths, bridleways and restricted byways crossing railways, the making of public path extinguishment and diversion orders and agreements concerning stiles/gates for persons with mobility problems.
6. A full list of the highways functions which are now matters for local choice is set out in **Appendix A**. Responsibility for the functions listed in Schedule A must be determined by the Council (except for paragraph (a) of Schedule A, which relates to the execution of highways works agreements. This function remains a local choice function, ie. the New Regulations make no changes in this respect. Council has previously determined the function of executing highways works agreements to be a Council function and delegated the same to the Monitoring Officer and Chief Officer. As the New Regulations make no changes in this respect, this report recommends no changes to the responsibility for the function of executing highways works agreements.)
7. It is recommended that the service areas concerned should be consulted on their views as to the proper allocation of the local choice functions set out in **Appendix A** (except for paragraph (a) thereof), and a further report submitted to this Committee to enable the Committee to take an informed decision in this regard. Pending such further report, the Committee is recommended to recommend to Council that these functions should remain the responsibility of the Executive.

Policy framework plans and strategies

8. The duty on local authorities to prepare and publish **Rights of Way Improvement Plans** (pursuant to section 60 of the Countryside and Rights of Way Act 2000, which came into force in late 2007) is included in the new Regulations as a function which is not to be the sole responsibility of an authority's executive, that is, this Plan requires Council approval, and so is to be added to the Council's Policy Framework.
9. The Single Education Plan is replaced by the **Children and Young People's Plan** (pursuant to the Children and Young People's Plan (Wales) Regulations 2007 SI No 2316 (W.187)). Under the new Regulations, this function will continue to be one which is not to be the sole responsibility of an authority's executive, that is, this Plan requires Council approval, and so will remain part of the Council's Policy Framework under the title of the Children and Young People's Plan.
10. The Committee is asked to note that the Monitoring Officer has delegated authority to make amendments to the constitution (and Scheme of Delegations) to reflect legislative changes. The changes referred to in paragraphs 8 and 9 of this report will be made under this delegated authority of the Monitoring Officer.

Gambling Act functions

11. Under the previous Regulations (2007), various Gambling Act 2005 functions were made matters for local choice; and this Council determined that responsibility for the same should be allocated to the Licensing Committee.
12. The New Regulations add the following additional Gambling Act functions (which did not come into force until after the 2007 Regulations were made), also as local choice matters:-
 - The duty to comply with a requirement to provide information to the Gambling Commission;
 - Functions relating to the exchange of information;
 - The power to exchange information; and
 - The function relating to the registration and regulation of small society lotteries.
13. Responsibility for the local choice functions listed in paragraph 12 must be determined by this Council. It is considered that these functions are entirely complementary to the existing Gambling Act functions exercised by the Licensing Committee, and accordingly, it is recommended that responsibility for the same should be allocated to the Licensing Committee.

(II) Corporate Director Delegations

14. Following recent staffing changes at senior management level, the Council currently has 1 Corporate Director in post, and an appointment process is being undertaken to fill 1 Corporate Director vacancy. Under the Council's Scheme of Delegations, various decisions are reserved for exercise by (the Chief Executive and) Corporate Directors – these are set out in **Appendix B**.

15. The Council's Corporate Management Team includes the City and County Treasurer, City and County Solicitor and Chief People and Organisational Development Officer, along with the Chief Executive and Corporate Director.
16. In order to facilitate timely and efficient decision making under the Council's current corporate management arrangements, the following change is proposed:-
 - (i) the City and County Treasurer, City and County Solicitor and Chief People and Organisational Development Officer be permitted to exercise the delegated authority given to Corporate Directors under the Scheme of Delegations.
17. The proposal in 16(i) above will ensure that the Council has a reasonable number of senior officers capable of exercising Corporate Director level decisions, so that decisions can be taken in a timely and efficient manner. For the avoidance of doubt, the Corporate Director delegations would: (i) be exercisable by the City and County Treasurer, City and County Solicitor and Chief People and Organisational Development Officer in addition to any other delegated powers currently available to them as Chief Officers under the Scheme of Delegations; and (ii) provided that where such officers exercised a Corporate Director delegation they must comply with all requirements relating to Corporate Director decision (form, publication, call-in etc).

Legal Implications

The Local Government Act 200 and the Local Authority Constitution (Wales) Direction 2002 requires the authority to keep its constitution up to date.

Financial Implications

There are no financial implications arising from this report

Recommendations

The Committee is recommended to:

1. instruct the City and County Solicitor to consult with the service areas concerned as to the proper allocation of the highways and public rights of way functions listed in **Appendix A** (save for paragraph (a) thereof), and report back to this Committee with recommendations in this regard;
2. recommend to Council that pending service area consultation and further consideration by Constitution Committee (as referred to in recommendation 1), the highways and public rights of way functions listed in **Appendix A** (save for paragraph (a) thereof) should remain the responsibility of the Executive;

3. note the updates to the Council's Policy Framework set out in paragraphs 8 and 9 of this report, which are to be made under the Monitoring Officer's delegated authority;
4. recommend to Council that the Gambling Act functions listed in paragraph 12 of this report be determined as Council functions and delegated to the Licensing Committee; and
5. recommend to Council the amendment of the Corporate Director delegations in the Scheme of Delegations as referred to in paragraph 16 of this report.

Kate Berry

City and County Solicitor

12 January 2010

Appendices

- A Highways functions for Local Choice determination (pursuant to SI2009/2983)
- B Corporate Director delegations (Part 3, Section 4B of the Constitution)

**HIGHWAYS FUNCTIONS
For LOCAL CHOICE**

- (a) the making of agreements for the execution of highways works;
- (b) the functions contained in the following provisions of Part III of the Highways Act 1980 (creation of highways)—
- (i) section 25 – creation of footpath, bridleway or restricted byway by agreement;
 - (ii) section 26 – compulsory powers for creation of footpaths, bridleways or restricted byways;
- (c) the functions contained in the following provisions of Part VIII of the Highways Act 1980 (stopping up and diversion of highways etc)—
- (i) section 116 – power of magistrates’ court to authorise stopping up or diversion of highway;
 - (ii) section 117 – application for order under section 116 on behalf of another person;
 - (iii) section 118 – stopping up of footpaths, bridleways and restricted byways;
 - (iv) section 118ZA – application for a public path extinguishment order;
 - (v) section 118A – stopping up of footpaths, bridleways and restricted byways crossing railways;
 - (vi) section 118B – stopping up of certain highways for purposes of crime prevention etc;
 - (vii) section 118C – application by proprietor of school for special extinguishment order;
 - (viii) section 119 – diversion of footpaths, bridleways and restricted byways;
 - (ix) section 119ZA – application for a public path diversion order;
 - (x) section 119A – diversion of footpaths, bridleways and restricted byways crossing railways;
 - (xi) section 119B – diversion of certain highways for purposes of crime prevention etc;
 - (xii) section 119C – application by proprietor of school for special diversion order;
 - (xiii) section 119D – diversion of certain highways for protection of sites of special scientific interest;
 - (xiv) section 120 – exercise of powers of making public path extinguishment and diversion orders;
 - (xv) section 121B – register of applications;
- (d) the functions contained in the following provisions of Part IX of the Highways Act 1980 (lawful and unlawful interference with highways and streets)—
- (i) section 130 – protection of public rights;
 - (ii) sections 139 – control of builders’ skips;
 - (iii) section 140 – removal of builders’ skips;
 - (iv) section 140A(1) – builders’ skips: charges for occupation of the highway;
 - (v) section 142 – licence to plant trees, shrubs etc in a highway;
 - (vi) section 147 – power to authorise erection of stiles etc on footpath or bridleway;
 - (vii) section 147ZA(1) – agreements relating to improvements for benefit of persons with mobility problems;
 - (viii) section 149 – removal of things so deposited on highways as to be a nuisance etc;

- (ix) section 169 – control of scaffolding on highways;
 - (x) section 171 – control of deposit of building materials and making of excavations in streets;
 - (xi) section 171A(2) and regulations made under that section – works under s169 or s171: charge for occupation of the highway;
 - (xii) section 172 – hoardings to be set up during building etc;
 - (xiii) section 173 – hoardings to be securely erected;
 - (xiv) section 178 – restriction on placing of rails, beams etc over highways;
 - (xv) section 179 – control of construction of cellars etc under street;
 - (xvi) section 180 – control of openings into cellars etc under streets, and pavement lights and ventilators;
- (e) exercising functions under section 34 of the Wildlife and Countryside Act 1981 (limestone pavement orders); and
- (f) exercising functions under section 53 of the Wildlife and Countryside Act 1981 (duty to keep definitive map and statement under continuous review).

DELEGATIONS TO CHIEF EXECUTIVE AND CORPORATE DIRECTORS

NOTE: the following delegations must be read in conjunction with the foregoing Sub-Section A which set out the overall basis, limitations, and further provisions which apply to this scheme of delegations.

All Delegated decisions taken in this sub-section, apart from CD1 and CD2 (Council Functions), will be published in the Executive Decision Register, irrespective of whether they are further delegated.

PROVIDED ALWAYS that the decision is:

- a) within budget;**
- b) in accordance with the Council's policy framework;**
- c) in accordance with Council's Financial and Land Procedure Rules and Contracts Procedure Rules;**
- d) in accordance with their Service Area Business Plan; and**
- e) not a matter specifically reserved for Full Council, a Committee of the Council, the Executive or a Statutory Officer,**

The Chief Executive and all Corporate Directors shall be authorised:-

- 1.1 To make any decisions relating to any matter within their area of responsibility ('General Delegation')**
- 1.2 To take appropriate action, which is necessary, to ensure the efficient, equitable and effective delivery of services.**

1.3 To exercise the following Specific Delegations:-

Ref.	Delegation	Form of Evidence
<p>Human Resources CD1</p>	<p>Authority to manage the human resources within their area of responsibility, including the appointment, establishment, salary/grade, training, terms and conditions of employment, health and safety, discipline, suspension and dismissal of staff, in accordance with the Council's HR and financial procedures and subject to appropriate consultation as outlined therein, except where any proposal:-</p> <p>(1) involves the probability of redundancies and/or cannot be implemented within existing budgets, and/or</p> <p>(2) has significant effects on the employment of existing staff in that or any other Council Service Area</p> <p>(Note: in relation to the above it remains the Council's policy to avoid compulsory redundancies where possible. Officer delegations can only be discharged within the Council's Human Resources policies and procedures).</p> <p>Qualification: This may not be further delegated.</p>	<p>Relevant HR Form</p>
<p>CD2</p>	<p>Authority to consider and approve, as appropriate, in consultation with the Chief People and Organisational Development Officer, City and County Treasurer and in accordance with the provisions of the Local Government Pension Scheme and the Council's approved policy and criteria, the early retirement of staff (aged 50 or over) in the following circumstances:</p> <p>(1) in the interests of the efficiency of the service</p> <p>(2) who request voluntary retirement</p> <p>Qualification: This may not be further delegated.</p>	<p>Relevant HR Form</p>
<p>Procurement CD3</p>	<p>To procure works, goods, services and/or supplies and manage all aspects of the contract (except in relation to variations - see CD4; framework arrangements - see FS20 and FS21; or where the Contracts Procedure Rules make contrary provision) where the estimated contract value does not exceed £5,000,000; and in all cases, subject to compliance with Financial Procedure Rules, Contracts Procedure Rules and the Policy</p>	<p>Contract Pre and Post Tender Forms</p>

Ref.	Delegation	Form of Evidence
	<p>and Budget Framework.</p> <p>Qualification: This may not be further delegated.</p>	
CD4	<p>To authorise, issue or approve variations in accordance with the values, as set out in the Contracts Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	
CD5	<p>To appoint persons to undertake management consultancy up to a value of £500,000 where the sum is allocated in the budget and for that purpose, subject to compliance with the Contracts Procedure Rules and the Policy and Budget Framework.</p> <p>Qualification: This may not be further delegated.</p>	Contract Pre and Post Tender Forms
Other CD6	<p>Within Service Areas to vire sums not exceeding £250,000 provided under specific public revenue budget heads to other purposes (revenue only), subject to compliance with the Financial Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	Virement Form
CD7	<p>Within service areas to vary the approved programme of capital expenditure by an addition or deletion or material modification of an existing project by a virement not exceeding £250,000 to or from another project but subject to the Policy and Budgetary Framework and in accordance with Financial Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	Virement Form
CD8	<p>To authorise the disposal or acquisition of land and to be the Designated Body for the purposes of the Procedure Rules for the Acquisition or Disposal of Land in the following cases:</p> <p>For disposals or acquisitions not exceeding £5,000,000, where the amount offered is greater than</p>	Acquisition/ Disposal of

Ref.	Delegation	Form of Evidence
	<p>that estimated by the Lead Strategic Estates Manager or no more than ten percent below that estimate, the offer may be accepted</p> <p>For disposals or acquisitions not exceeding £1,000,000 in value where the proposal is to accept the best offer reasonably obtainable but that is determined other than on price alone</p> <p>For taking or granting of leases at rents not exceeding £1,000,000 pa and agreeing the renewal or restructuring of existing leases for rents not exceeding £1,000,000 pa</p> <p>And provided that the offer that represents the best price reasonably obtainable by the Authority</p> <p>Qualification: This may not be further delegated.</p>	Land Form
CD9	<p>In accordance with any policy or strategy approved by the Executive to consider and determine applications for financial assistance or assistance in kind and to approve or reject applications having a value not exceeding £1,000,000 per grant.</p>	Grant Application Form
CD10	<p>To exercise the rights and responsibilities of the Council as shareholder or member of a company or other body, where no other specific provision has been made.</p> <p>Qualification: This may be further delegated to officers of grade OM1 or above only.</p>	

PART 3 - RESPONSIBILITY FOR FUNCTIONS

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Section 1A - Council Meeting

Functions of the Council

The Council's Constitution (article 4) sets out the following functions which can only be exercised by the Full Council i.e. a meeting of all Council Members and which includes the adoption of the policy framework. Only the Council will exercise the following functions:-

- (a) adopting and changing the Authority's Executive arrangements and the Constitution)
- (b) approving or adopting the policy framework, the budget and any application to the Welsh Assembly Government in respect of any Housing Land Transfer;
- (c) subject to the urgency procedure contained in the Access to Information Procedure Rules set out in Part 4 of this Constitution, making decisions about any matter in the discharge of an Executive Function which is covered by the Policy Framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget;
- (d) electing and removing the Leader and appointing and removing members of the Executive (not being the Leader);
- (e) agreeing and/or amending the Terms of Reference of Committees, deciding on their composition and making appointments to them;
- (f) appointing representatives to outside bodies unless the appointment is an Executive Function or has been delegated by the Council;
- (g) adopting an Allowances Scheme under Article 2.5;
- (h) changing the name of the area, conferring the title of Honorary Alderman or Freedom of the City;
- (i) making or confirming the appointment of the Chief Executive;
- (j) making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills;
- (k) all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself or by a person to whom or body to which it has delegated its powers rather than the Executive; and
- (l) all other matters which, by law, must be reserved to Council.

The policy framework includes the plans and strategies listed in Schedule 3 to the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 (as amended), as follows:

Plans and Strategies	Reference
Best Value Performance Plan	Section 6(1) of the Local Government Act 1999 (c.27)
Community Strategy	Section 4 of the Local Government Act 2000 (c.22)
Corporate Plan	Section 2 of the Local Government Act 2000
Crime and Disorder Reduction Strategy	Sections 5 and 6 of the Crime and Disorder Act 1998 (c.37)

Local Transport Plan	Section 108 of the Transport Act 2000
Race Equality Scheme	Race Equality (Amendment) Act
Children and Young People's Plan	Regulations made under section 26 of the Children Act 2004.
Plans and alterations which together comprise the Development Plan	Section 10A of the Town and Country Planning Act 1990
Welsh Language Scheme	Section 5 of the Welsh Language Act 1993
Youth Justice Plan	Section 40 of the Crime and Disorder Act 1998 (c.37)
Health & Well Being Strategy	Section 24 of the National Health Act 2002
Plans to approve Young Peoples Partnership Strategic Plans and a Children and Young Peoples Framework Partnership.	Sections 123, 124 and 125 of the Learning and Skills Act 2000
Housing Strategy	Section 87 of the Local Government Act 2003 (c.26)
Rights of Way Improvement Plan	Section 60 of the Countryside and Rights of Way Act 2000

Together with such other plans and strategies which the Authority may decide should be adopted by the Council as a matter of local choice, as set out in Article 4.2(a) of this Constitution.

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Section 1B - Non-Executive Functions

Part II of the Local Government Act 2000 provides for the discharge of a local authority's functions by an Executive of the authority. These are covered by Section 2 of this Scheme.

However, some functions cannot be the responsibility of the Executive. These functions can be found in the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 as amended.

Non-Executive Functions are detailed at Annex 1.

In the case of delegation of any Council function the power of modifying or varying any approval, consent, licence, permission or registration or any condition, limitation, restriction or term to which it is subject or revoking any such approval, consent, licence, permission or registration is also delegated.

Annex 2 provides details of the Terms of Reference for the Non-Executive Committees.

Section 2 Executive Functions

The Council have determined that the following functions can only be exercised by the Executive i.e. a meeting of the Executive. *[For the avoidance of doubt, the Executive may determine on any particular matter under consideration by the Executive pursuant to this Section 2, that a decision on any such particular matter (or any part thereof) may be delegated to the Chief Executive, any Corporate Director/s or Chief Officer/s.]*

1	To recommend to Council any policy, plan or strategy which the Authority has resolved shall be subject to approval by Council as part of the Policy Framework and any amendment of any policy plan or strategy forming part of the Policy Framework.
2	To take any urgent decisions which are contrary or not wholly in accordance with the approved Budget or contrary to the Policy Framework.
3	To develop a medium term financial strategy, with priorities and targets, over a rolling three year period.
4	To prepare, agree and, if appropriate, consult on the Authority's plans, policies and strategies which do not form part of the Policy Framework.
5	To initiate and guide reviews of the Authority's Policy Framework.
6	To lead the integration of strategic objectives across the Authority.
7	To make arrangements for the making of in-year changes to the Policy Framework, to the extent authorised by the Authority.
8	To agree responses to consultation papers from the Government (including White and Green papers), from the Welsh Assembly Government, LGA, WLGA and all other bodies in respect of strategic policy.
9	To determine the response to reports from the Overview and Scrutiny Committees.
10	To recommend to the Council and to review the Treasury Management policies and annual limits
11	To receive financial forecasts including the medium term financial strategy and the monitoring of financial information and indicators
12	To recommend to the Council the annual budget, including the Capital and Revenue Budgets, the Prudential indicators, authorised borrowing limit and the level of Council Tax

13	To ensure that the annual budget is implemented and the underlying principles adhered to in any changes required from time to time and between annual budgets. This will include recommending to Council any changes to policy that will materially reduce or increase the services of the Authority or create significant financial commitments in future years.
14	To review and monitor the Authority's strategy and overall implementation in relation to e-Government, telecommunications, information systems and information technology
15	To agree and oversee the Authority's overall policy in relation to grants to external bodies and to agree the Authority's strategy for the payment of grants.
16	To approve the purchase, sale or appropriation of land and buildings in any case where arrangements have not been made for discharge of the function by an officer of the Authority.
17	To approve the letting or taking of a lease, tenancy or license of land and/or premises in any case where arrangements have not been made for discharge of the function by an officer of the Authority
18	To authorise the making of compulsory purchase orders except for compulsory purchase orders made in respect of single houses under Part II of the Housing Act 1985 and or the Acquisition of Land Act 1981
19	To consider, at least annually, the level of reserves, provisions and balances held by the Authority and to make recommendations to Council where appropriate.
20	To approve writing-off of debts in any case where arrangements have not been made for discharge of the function by an officer of the Authority.
21	To approve the write-off of stocks, stores and other assets in any case where arrangements have not been made for discharge of the function by an officer of the Authority
22	To recommend the Corporate Asset Management Plan to the Authority and approve a rolling programme of property disposals.
23	To receive reports on contract overspends in accordance with limits set out in Financial Procedure Rules and recommend the action to be taken.
24	To approve revenue and capital budget virements or any inter-service virements where the purpose of the budget has been amended or in any case where arrangements have not been made for discharge of the function by an officer of the Authority and within the Policy and Budgetary Framework.
25	To agree to the provision of new primary and secondary schools, nursery and special schools, and to provide sites for new, substituted or transferred voluntary schools.
26	To approve the publication of proposals for the closure or significant change or significant enlargement of schools and to enact the closure or change or enlargement of any schools once the agreement of the Welsh Assembly Government has been given.
27	To approve any arrangements for joint service provision with the National Health Service.
28	To develop, and to recommend to the Council, a Housing Strategy and Operational Plan.
29	To agree revisions to the Authority's Housing Allocations Policy.
30	To agree the Authority's Policy and strategy for the setting of fees and charges.
31	To agree changes to overall eligibility criteria for access to services of the Authority.
32	To approve the making of bids to the Welsh Assembly Government and other bodies for capital funding (except where these are within the Policy and Budgetary Framework).

33	To authorise the implementation of any capital project not within the approved capital programme and not otherwise funded by a body or person other than the Authority.
34	To authorise the invitation of tenders, offers or bids in accordance with the Contracts Procedure Rules and where appropriate for that purpose approve select lists of contractors, suppliers and tenderers in any case where arrangements have not been made for discharge of the function by an officer of the Authority. (As set out in Section 4).
35	To authorise issue or approve variations within the contract in any case where arrangements have not been made for discharge of the function by an officer of the Authority. (As set out in Section 4).
36	To identify and agree appropriate tender evaluation criteria and the relative importance/weighting of each factor in accordance with the Contracts Procedure Rules so that tenders can be evaluated to determine which tender represents the Best Value to the Authority in any case where arrangements have not been made for discharge of the function by an officer of the Authority. (As set out in Section 4).
37	To approve the acceptance of tenders in accordance with the Contracts Procedure Rules in any case where arrangements have not been made for discharge of the function by an officer of the Authority. (As set out in Section 4).
38	To consider the reports of external review bodies on matters of strategic service delivery.
39	To approve the variation of capital expenditure by the addition, deletion or material modification of an existing project by virement to or from another which is already in the programme in any case where arrangements have not been made for discharge of the function by an officer of the Authority.
40	To initiate or respond to appropriate Parliamentary matters (other than the promotion or opposition to personal or local Bills).
41	To determine any matter delegated to an officer, where that officer considers it more appropriate for it to be dealt with by the Executive.
42	To approve the establishment or closure (except any temporary closure for maintenance or refurbishment or in the case of an emergency) of any facility for the provision of or at which direct services to the public will be provided by the Authority to service users (e.g. libraries, leisure centres, day centres).
43	To perform any Executive Function in any case where arrangements have not been made for discharge of the function by an officer of the Authority. (As set out in Section 4).
44	To agree any amendments or variations to, and arrangements under an agreement dated 27 March 2000 made under Section 165 of the Local Government Planning and Land Act 1980 between the Cardiff Bay Development Corporation and the Authority.
45	To carry out the functions and obligations and exercise the powers of the Authority under the Cardiff Bay Barrage Act 1993 (except to the extent that such functions are non Executive Functions) in any case where arrangements have not been made for discharge of the function by an officer of the Authority.
46	To perform the functions of the Authority as harbour authority in any case where arrangements have not been made for discharge of the function by an officer of the Authority.

Section 3 Responsibility for Local Choice Functions

The Council is able to determine who has responsibility for the functions, identified as Local Choice functions. They have assigned these functions to the decision making bodies set out in the table below:

Function	Decision Making Body	Delegation
The discharge of any function by the Authority acting as a Harbour Authority.	Executive	
Any function under a local Act other than a function specified or referred to in Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 as amended.	Council	
The determination of an appeal against any decision made by or on behalf of the authority.	Appeals Committee	
Functions in relation to the revisions of decisions made in connection with claims for housing benefit or council tax benefit and for appeals against such decisions under section 68 of and Schedule 7 to the Child Support, Pensions and Social Security Act 2000.	Council	Monitoring Officer
The making of arrangements in relation to appeals against the exclusion of pupils in maintained schools under section 52 of the Education Act 2002.	Executive	Monitoring Officer
The making of arrangements pursuant to section 94(1), (1A) and (4) of, and Schedule 24 to, the School Standards and Framework Act 1998 (admission appeals).	Executive	Monitoring Officer
The making of arrangements pursuant to section 95(2) of the School Standards and Framework Act 1998 (children to whom section 87 applies: appeals by governing bodies).	Executive	Monitoring Officer
The making of arrangements under section 20 (questions on police matters at council meetings) of the Police Act 1996 for enabling questions to be put on the discharge of the functions of a police authority.	Council	

Function	Decision Making Body	Delegation
The making of appointments under paragraphs 2 to 4 (appointment of Members by relevant councils) of Schedule 2 (police authorities established under section 3) to the Police Act 1996.	Council	
The conducting of best value reviews in accordance with the provisions of any order for the time being having effect under section 5 (best value reviews) of the Local Government Act 1999.	Executive	
Any function relating to contaminated land.	Public Protection Committee	
The discharge of any function relating to the control of pollution or the management of air quality.	Public Protection Committee	
The service of an abatement notice in respect of a statutory nuisance.	Public Protection Committee	Chief Officer
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area.	Public Protection Committee	Chief Officer
The inspection of the authority's area to detect any statutory nuisance.	Public Protection Committee	Chief Officer
The investigation of any complaint as to the existence of a statutory nuisance.	Public Protection Committee	Chief Officer
The obtaining of information under section 330 of the Town and Country Planning Act 1990 as to interests in land.	Executive and non-Executive Committees	Chief Officer
The obtaining of particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	Executive	All Chief Officers

Function	Decision Making Body	Delegation
<p><u>Any of the following functions in respect of highways:</u></p> <p><u>(a) the making of agreements for the execution of highways works.</u></p> <p><u>(b) the functions contained in the following provisions of Part III of the Highways Act 1980 (creation of highways)—</u> <u>(i) section 25 – creation of footpath, bridleway or restricted byway by agreement;</u> <u>(ii) section 26 – compulsory powers for creation of footpaths, bridleways or restricted byways;</u></p> <p><u>(c) the functions contained in the following provisions of Part VIII of the Highways Act 1980 (stopping up and diversion of highways etc)—</u> <u>(i) section 116 – power of magistrates’ court to authorise stopping up or diversion of highway;</u> <u>(ii) section 117 – application for order under section 116 on behalf of another person;</u> <u>(iii) section 118 – stopping up of footpaths, bridleways and restricted byways;</u> <u>(iv) section 118ZA – application for a public path extinguishment order;</u> <u>(v) section 118A – stopping up of footpaths, bridleways and restricted byways crossing railways;</u> <u>(vi) section 118B – stopping up of certain highways for purposes of crime prevention etc;</u> <u>(vii) section 118C – application by proprietor of school for special extinguishment order;</u> <u>(viii) section 119 – diversion of footpaths, bridleways and restricted byways;</u> <u>(ix) section 119ZA – application for a public path diversion order;</u> <u>(x) section 119A – diversion of footpaths, bridleways and restricted byways crossing railways;</u> <u>(xi) section 119B – diversion of certain highways for purposes of crime prevention etc;</u> <u>(xii) section 119C – application by proprietor of school for special diversion order;</u> <u>(xiii) section 119D – diversion of certain highways for protection of sites of special scientific interest;</u> <u>(xiv) section 120 – exercise of powers of making public path extinguishment and diversion orders;</u> <u>(xv) section 121B – register of applications;</u></p> <p><u>(d) the functions contained in the following provisions of Part IX of the Highways Act 1980 (lawful and unlawful interference with highways and streets)—</u></p>	<p>Council</p> <p>Council</p>	<p>Monitoring Officer and Chief Officer</p> <p>Planning Committee</p>

Deleted: T

Function	Decision Making Body	Delegation
<p><u>(i) section 130 – protection of public rights;</u> <u>(ii) sections 139 – control of builders’ skips;</u> <u>(iii) section 140 – removal of builders’ skips;</u> <u>(iv) section 140A(1) – builders’ skips: charges for occupation of the highway;</u> <u>(v) section 142 – licence to plant trees, shrubs etc in a highway;</u> <u>(vi) section 147 – power to authorise erection of stiles etc on footpath or bridleway;</u> <u>(vii) section 147ZA(1) – agreements relating to improvements for benefit of persons with mobility problems;</u> <u>(viii) section 149 – removal of things so deposited on highways as to be a nuisance etc;</u> <u>(ix) section 169 – control of scaffolding on highways;</u> <u>(x) section 171 – control of deposit of building materials and making of excavations in streets;</u> <u>(xi) section 171A(2) and regulations made under that section – works under s169 or s171: charge for occupation of the highway;</u> <u>(xii) section 172 – hoardings to be set up during building etc;</u> <u>(xiii) section 173 – hoardings to be securely erected;</u> <u>(xiv) section 178 – restriction on placing of rails, beams etc over highways;</u> <u>(xv) section 179 – control of construction of cellars etc under street;</u> <u>(xvi) section 180 – control of openings into cellars etc under streets, and pavement lights and ventilators;</u></p> <p><u>(e) exercising functions under section 34 of the Wildlife and Countryside Act 1981 (limestone pavement orders); and</u></p> <p><u>(f) exercising functions under section 53 of the Wildlife and Countryside Act 1981 (duty to keep definitive map and statement under continuous review).</u></p>		
<p>The appointment of any individual:-</p> <p>(a) to any office other than an office in which he/she is employed by the authority; (b) to any body other than:</p>	Council	

Function	Decision Making Body	Delegation
(i) the authority; (ii) a joint committee of two or more authorities; or (c) to any committee or sub-committee of such a body, and the revocation of any such appointment.		
Power to make payments or provide other benefits in cases of maladministration etc.	Council	Chief Officer
Functions in respect of the calculation of council tax base in accordance with any of the following:- (a) the determination of an amount for item T in section 33(1) and 44(1) of the Local Government Finance Act 1992; (b) the determination of an amount for item TP in sections 34(3), 45(3), 48(3) and 48(4) of the Local Government Finance Act 1992; (c) the determination of an amount required for determining an amount for the item mentioned in paragraph (a) or (b) above.	Council	
Licensing functions in accordance with Part 2 of the Licensing Act 2003 except Section 6.	Licensing Committee	
Functions in respect of gambling under the following provisions of the Gambling Act 2005 (a) section 29 - licensing authority information; (b) section 30 - other exchange of information; (c) section 166 - resolution not to issue casino licenses; (d) section 212 and regulations made under that section - fees; (e) section 284 - removal of exemption; (f) section 304 - authorised persons; (g) section 346 - prosecutions by licensing authority; (h) section 349 - three-year licensing policy; (a) section 350 - exchange of information;	Licensing Committee	

Comment [KA1]: To reflect new delegation CO13

Function	Decision Making Body	Delegation
(b) part 5 of Schedule 11 – registration with local authority.		

SECTION 4 FUNCTIONS DELEGATED TO OFFICERS

SUB-SECTION A

INTRODUCTION

1. Overall Basis

1.1 This scheme delegates certain functions of the Council and the Executive to officers and should be interpreted widely rather than narrowly. It is divided into the following sub-sections:

- A - Introduction
- B - General Delegations to Chief Executive/Corporate Directors
- C - General Delegations to Chief Officers/Heads of Functions
- D - General Delegations to Operational Managers
- E - Specific Delegations to Statutory Officers
- F - Specific Delegations to other Officers

These sub-sections inter-relate and should not be read in isolation.

1.2 In this scheme “officer” means the holder of any post named in this scheme as having delegated powers and duties.

1.3 This scheme delegates power and duties within broad functional descriptions and includes powers and duties under all legislation present and future within those descriptions and all powers and duties incidental to that legislation.

1.4 This scheme operates under Sections 101, 151 and 270 of the Local Government Act 1972 and all other powers enabling the Council.

1.5 This scheme includes the obligation on officers to keep Members properly informed of activity arising within the scope of these delegations.

1.6 In addition to functions delegated to officers under this scheme, the Council, any of its Committees and or the Executive may also decide to delegate certain functions and decisions to officers. Any such delegations to officers should be notified to the City and County Solicitor who maintains a record of all delegations (in accordance with the requirements of section 100G of the Local Government Act 1972). For the avoidance of doubt, any such officer delegations shall not be further delegable, unless expressly provided for in the resolution.

2. Overall Limitations

2.1 This scheme does not delegate to officers:-

- (1) Any matter reserved to full Council
- (2) Any matter which by law may not be delegated to an officer
- (3) Any matter expressly withdrawn from delegation by this scheme or at any time by the Executive.

2.2 In each case the delegated authority to officers exclude:-

- * the taking of decisions which make, amend or are not in accordance with the budget and policy framework
- * the setting or changing of policy and associated service standards
- * the review of performance
- * the setting of overall service area budgets
- * responding to formal central government consultation in respect of strategic policy

which remain the responsibility of Council/the Executive/Committees as appropriate.

2.3 Any exercise of delegated powers shall be subject to:-

- (1) Any statutory restrictions
- (2) The Council's Constitution, including Financial and Land Procedure Rules and Contracts Procedure Rules
- (3) The Council's budget and policy framework
- (4) Any other policies
- (5) The Code of Conduct for Members
- (6) The Code of Conduct for Employees

2.4 In exercising delegated powers officers shall:-

- (1) not go beyond the provision in the revenue or capital budgets for their service or agree individual items of expenditure or virement beyond that permitted by the Contracts and Financial Procedure Rules;
- (2) have regard to any report by the Head of the Paid Service or the Monitoring Officer under Sections 4 and 5 of the Local Government and Housing Act 1989 or of the Chief Financial Officer under Section 114 of the Local Government Finance Act 1988;
- (3) maintain a full record of the exercise of those powers, including all relevant details, in accordance with any corporate guidance given by the City and County Solicitor (for decisions taken within the Scheme, the form of evidence required is shown in sub-sections B, C and D); and
- (4) have regard to any report from the Council's internal and external auditors in relation to a fundamental weakness in management and financial controls.

3. Further Provisions

- 3.1 In all cases delegated authority includes management of the human and material resources made available for their functions and departments within the limitations of this scheme and subject to specific delegations in this scheme or elsewhere to another officer.
- 3.2 In all cases delegated authority includes the power to issue and serve statutory and other notices, to institute formal cautions, to recommend the institution of legal proceedings before courts or tribunals, to take default action under all legislation relevant to their functional area and to authorise Officers to appear on behalf of the Council in tribunals, review boards and inquiries, also to sign all necessary documents and authorise entry to land in pursuance of statutory powers, provided always that this is in accordance with the functional responsibilities of the officer concerned, and subject to the provisions of Article 13 of this Constitution.
- 3.3 In all cases, delegated authority includes the power to determine applications and authorise payments and implement national agreements.

- 3.4 It shall always be open to an officer to consult with the Executive, or a non-executive committee on the exercise of delegated powers, or not to exercise delegated powers but to refer the matter to the Executive or a committee (as appropriate).
- 3.5 In exercising delegated powers, officers shall consult with such other relevant officers as may be appropriate and shall have regard to any advice given.
- 3.6 Unless expressly provided to the contrary, this scheme includes the power for officers further to delegate in writing all or any of the delegated functions to other officers (described by name or post) either fully or under the general supervision and control of the delegating officer. Sub-delegations shall be recorded in a register kept by the City and County Solicitor under Section 100G of the Local Government Act 1972. Sub-delegations may be made across departmental boundaries and to other Councils and their officers as appropriate.

4. Record of Exercise of any Function

- 4.1 In the case of decisions taken by Full Council, Committee, Executive Meeting, Chief Executive, or a Corporate Director:-
- (a) the written record of the decision, in the prescribed form, will be sent to, and kept by, the Clerk to the Council;
 - (b) the written record of the decision will be open to public inspection, except where it contains confidential or exempt information; and
 - (c) a copy will be sent to the City and County Treasurer if the decision requires a call on budget which should be notified to him/her.
- 4.2 All decisions made under section 4.1 by the Executive Business Meeting will be published in the Executive Decision Register. Similarly all decisions made by the Chief Executive or a Corporate Director will be published in the Executive Decision Register.
- 4.3 In the case of decisions by an employee other than the Chief Executive or a Corporate Director:-
- (a) the written record of the decision will be kept in accordance with the requirements of the relevant Chief Officer;
 - (b) the written record of decision will be open to inspection by a Councillor in accordance with the Access to Information Procedure Rules; and
 - (c) a copy will be sent to the City and County Treasurer if the decision requires a call on budget which should be notified to him/her.

For the avoidance of doubt, the record of the exercise of a delegated power may relate to the exercise of one or more power where the powers have been exercised contemporaneously.

SUB-SECTION B

DELEGATIONS TO CHIEF EXECUTIVE, CORPORATE DIRECTORS AND CORPORATE MANAGEMENT BOARD MEMBERS (THE CITY AND COUNTY TREASURER, THE CITY AND COUNTY SOLICITOR AND CHIEF PEOPLE AND ORGANISATIONAL DEVELOPMENT OFFICER)

Deleted: AND

NOTE: the following delegations must be read in conjunction with the foregoing Sub-Section A which set out the overall basis, limitations, and further provisions which apply to this scheme of delegations.

All Delegated decisions taken in this sub-section, apart from CD1 and CD2 (Council Functions), will be published in the Executive Decision Register, irrespective of whether they are further delegated.

PROVIDED ALWAYS that the decision is:

- a) within budget;
- b) in accordance with the Council's policy framework;
- c) in accordance with Council's Financial and Land Procedure Rules and Contracts Procedure Rules;
- d) in accordance with their Service Area Business Plan; and
- e) not a matter specifically reserved for Full Council, a Committee of the Council, the Executive or a Statutory Officer,

The Chief Executive and all Corporate Directors shall be authorised:-

- 1.1 To make any decisions relating to any matter within their area of responsibility ('General Delegation'), including, for the avoidance of doubt, any matter specifically delegated in this Scheme of Delegations to a Chief Officer or Operational Manager.
- 1.2 To take appropriate action, which is necessary, to ensure the efficient, equitable and effective delivery of services.

1.3 To exercise the following Specific Delegations:-

Ref.	Delegation	Form of Evidence
<p>Human Resources CD1</p>	<p>Authority to manage the human resources within their area of responsibility, including the appointment, establishment, salary/grade, training, terms and conditions of employment, health and safety, discipline, suspension and dismissal of staff, in accordance with the Council's HR and financial procedures and subject to appropriate consultation as outlined therein, except where any proposal:-</p> <p>(1) involves the probability of redundancies and/or cannot be implemented within existing budgets, and/or</p> <p>(2) has significant effects on the employment of existing staff in that or any other Council Service Area</p> <p>(Note: in relation to the above it remains the Council's policy to avoid compulsory redundancies where possible. Officer delegations can only be discharged within the Council's Human Resources policies and procedures).</p> <p>Qualification: This may not be further delegated.</p>	<p>Relevant HR Form</p>
<p>CD2</p>	<p>Authority to consider and approve, as appropriate, in consultation with the Chief People and Organisational Development Officer, City and County Treasurer and in accordance with the provisions of the Local Government Pension Scheme and the Council's approved policy and criteria, the early retirement of staff (aged 50 or over) in the following circumstances:</p> <p>(1) in the interests of the efficiency of the service</p> <p>(2) who request voluntary retirement</p> <p>Qualification: This may not be further delegated.</p>	<p>Relevant HR Form</p>
<p>Procurement CD3</p>	<p>To procure works, goods, services and/or supplies and manage all aspects of the contract (except in relation to variations - see CD4; framework arrangements - see FS20; or where the Contracts Procedure Rules make contrary provision) where the estimated contract value does not exceed £5,000,000; and in all cases, subject to compliance with Financial Procedure Rules, Contracts Procedure Rules and the Policy and Budget Framework.</p> <p>Qualification: This may not be further delegated.</p>	<p>Pre-Tender and Contract Award Forms</p> <p>Officer Decision Form and Report</p>

Ref.	Delegation	Form of Evidence
CD4	<p>To authorise, issue or approve variations in accordance with the values, as set out in the Contracts Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	
CD5	<p>To appoint persons to undertake management consultancy up to a value of £500,000 where the sum is allocated in the budget and for that purpose, subject to compliance with the Contracts Procedure Rules and the Policy and Budget Framework.</p> <p>Qualification: This may not be further delegated.</p>	Pre-Tender and Contract Award Forms
Other CD6	<p>Within Service Areas to vire sums not exceeding £250,000 provided under specific public revenue budget heads to other purposes (revenue only), subject to compliance with the Financial Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	Virement Form
CD7	<p>Within service areas to vary the approved programme of capital expenditure by an addition or deletion or material modification of an existing project by a virement not exceeding £250,000 to or from another project but subject to the Policy and Budgetary Framework and in accordance with Financial Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	Virement Form
CD8	<p>To authorise the disposal or acquisition of land and to be the Designated Body for the purposes of the Procedure Rules for the Acquisition or Disposal of Land in the following cases: For disposals or acquisitions not exceeding £5,000,000, where the amount offered is greater than that estimated by the Lead Strategic Estates Manager or no more than ten percent below that estimate, the offer may be accepted For disposals or acquisitions not exceeding £1,000,000 in value where the proposal is to accept the best offer reasonably obtainable but that is determined other than on price alone For taking or granting of leases at rents not exceeding £1,000,000 pa and agreeing the renewal or restructuring of existing leases for rents not exceeding £1,000,000 pa And provided that the offer that represents the best price reasonably obtainable by the Authority</p> <p>Qualification: This may not be further delegated.</p>	Acquisition/ Disposal of Land Form

CD9	In accordance with any policy or strategy approved by the Executive to consider and determine applications for financial assistance or assistance in kind and to approve or reject applications having a value not exceeding £1,000,000 per grant.	Grant Application Form
CD10	<p>To exercise the rights and responsibilities of the Council as shareholder or member of a company or other body, where no other specific provision has been made.</p> <p>Qualification: This may be further delegated to officers of grade OM1 or above only.</p>	

SUB-SECTION C

DELEGATIONS TO ALL CHIEF OFFICERS AND HEADS OF FUNCTION

NOTE: the following delegations must be read in conjunction with the foregoing Sub-Section A which set out the overall basis, limitations, and further provisions which apply to this scheme of delegations.

PROVIDED ALWAYS that the decision is:

- a) within budget;
- b) in accordance with the Council's policy framework;
- c) in accordance with Council's Financial and Land Procedure Rules and Contracts Procedure Rules;
- d) in accordance with their Service Area Business Plan; and
- e) not a matter specifically reserved for Full Council, a Committee of the Council, the Executive, a Statutory Officer, the Chief Executive or Corporate Directors,

All Chief Officers and Heads of Function shall be authorised:-

1.1 To make any decisions relating to any matter within their area of responsibility ('General Delegation'), including, for the avoidance of doubt, any matter specifically delegated in this Scheme of Delegations to an Operational Manager.

Deleted: :

1.2 To take appropriate action, which is necessary, to ensure the efficient, equitable and effective delivery of services.

1.3 To exercise the following Specific Delegations:-

Ref.	Delegation	Form of Evidence
<p>Human Resources CO1</p>	<p>Authority to manage the human resources within their area of responsibility, including the appointment, establishment, salary/grade, training, terms and conditions of employment, health and safety, discipline, suspension and dismissal of staff, in accordance with the Council's HR and financial procedures and subject to appropriate consultation as outlined therein, except where any proposal:-</p> <p>(1) involves the probability of redundancies and/or cannot be implemented within existing budgets, and/or</p> <p>(2) has significant effects on the employment of existing staff in that or any other Council Service Area</p> <p>(Note: in relation to the above it remains the Council's policy to avoid compulsory redundancies where possible. Officer delegations can only be discharged within the Council's Human Resources policies and procedures).</p> <p>Qualification: This may not be further delegated.</p>	<p>Relevant HR Form</p>
<p>CO2</p>	<p>Authority to consider and approve, as appropriate, in consultation with the Chief People and Organisational Development Officer, City and County Treasurer and in accordance with the provisions of the Local Government Pension Scheme and the Council's approved policy and criteria, the early retirement of staff (aged 50 or over) in the following circumstances:</p> <p>(1) in the interests of the efficiency of the service</p> <p>(2) who request voluntary retirement</p> <p>Qualification: This may not be further delegated.</p>	<p>Relevant HR Form</p>
<p>Procurement CO3</p>	<p>To procure works, goods, services and/or supplies and manage all aspects of the contract (except in relation to variations – see CO4; framework arrangements – see FS20; or where the Contracts Procedure Rules make contrary provision) where the estimated contract value does not exceed £1,000,000; and in all cases, subject to compliance with Financial Procedure Rules, Contracts Procedure Rules and the Policy and Budget Framework.</p> <p>Qualification: This may not be further delegated.</p>	<p>Pre-Tender and Contract Award Forms</p>

Ref.	Delegation	Form of Evidence
CO4	<p>To authorise, issue or approve variations in accordance with the values, as set out in the Contracts Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	
Other CO5	<p>To make any applications under the planning legislation to the Authority as Local Planning Authority in relation to development of land for which the Chief Officer is responsible including Planning Applications to develop any land held by the Authority or for the development of any land by the Authority whether on its own or jointly.</p>	
CO6	<p>To manage any operational land or premises or assets and to secure such maintenance, repair or renewal of the same, save that the purchase repair, leasing, hire, disposal and maintenance of vehicles will be managed in accordance with arrangements made by the officer who is for the time being the Authority's Transport Manager.</p>	
CO7	<p>Within the service area to vary the approved programme of capital expenditure by an addition or deletion or material modification of an existing project by a virement not exceeding £100,000 to or from another project subject to the Policy and Budget Framework and in accordance with Financial Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	Virement Form
CO8	<p>Within service areas to vire sums not exceeding £50,000 provided under specific published revenue budget heads to other purposes (revenue only) subject to compliance with Financial Procedure Rules.</p> <p>Qualification: This may not be further delegated.</p>	Virement Form
CO9	<p>In accordance with any policy or strategy approved by the Executive to consider and determine applications for financial assistance or assistance in kind and to approve or reject applications having a value not exceeding £250,000.</p> <p>Qualification: This may not be further delegated.</p>	Grant Application Form
CO10	<p>In accordance with any policy or strategy approved by the Executive to set fees and charges which may be made by the Authority and to waive such fees or charges or grant concessions where it would be likely to promote the economic, social or environmental well being of the Authority's area.</p>	Concessionary Letting Form

Ref.	Delegation	Form of Evidence
CO11	To make applications or submit bids for funding or financial assistance or assistance in kind, to any person or body and take all necessary steps to accept this assistance.	Grant Submission Form
CO12	To approve the write-off of stocks, stores and other assets where the value of the stocks, stores or other assets does not exceed £5,000.	
<u>CO13</u>	<u>To settle complaints made under the Council's Complaints Policy where appropriate, which may include an apology, rectification, or in exceptional circumstances a monetary payment up to a maximum of £100; and to settle Ombudsman's recommendations under Section 21 of the Public Services Ombudsman (Wales) Act 2005, up to a maximum of £1,000.</u>	

Comment [KA2]: To reflect Complaints Policy (section 7).

SUB-SECTION D

DELEGATIONS TO OPERATIONAL MANAGERS

NOTE: the following delegations must be read in conjunction with the foregoing Sub-Section A which set out the overall basis, limitations, and further provisions which apply to this scheme of delegations.

PROVIDED ALWAYS that the decision is:

- a) within budget;
- b) in accordance with the Council's policy framework;
- c) in accordance with Council's Financial and Land Procedure Rules and Contracts Procedure Rules;
- d) in accordance with their Service Area Business Plan; and
- e) not a matter specifically reserved for Full Council, a Committee of the Council, the Executive, a Statutory Officer, the Chief Executive, Corporate Directors, Chief Officers or Heads of Function,

All Operational Managers and Heads of Function, shall be authorised:-

- 1.1 To make any decisions relating to any matter within their area of responsibility ('General Delegation'),
- 1.2 To take appropriate action, which is necessary, to ensure the efficient, equitable and effective delivery of services.

1.3 To exercise the following Specific Delegations:-

Ref.	Delegation	Form of Evidence
Human Resources OM1	Authority to manage the human resources within their area of responsibility as set out in the approved Human Resources policies and procedures.	Relevant HR Form
Procurement OM2	To procure works, goods, services and/or supplies and manage all aspects of the contract (except in relation to variations – see OM3; framework arrangements – see FS20; or where the Contracts Procedure Rules make contrary provision) where the estimated contract value does not exceed £250,000; and in all cases, subject to compliance with Financial Procedure Rules, Contracts Procedure Rules and the Policy and Budget Framework. Qualification: This may not be further delegated for procurements of £10,000 or above.	Pre-Tender and Contract Award Forms
OM3	To authorise, issue or approve variations in accordance with the values, as set out in the Contracts Procedure Rules.	
Other OM4	In accordance with any policy or strategy approved by the Executive to consider and determine applications for financial assistance or assistance in kind and to approve or reject applications having a value not exceeding £50,000. Qualification: This may not be further delegated.	Grant Application Form

SUB-SECTION E

SPECIFIC DELEGATIONS TO STATUTORY, LEGAL, FINANCIAL & HUMAN RESOURCE OFFICERS

NOTE: The following delegations must be read in conjunction with the foregoing Sub-Sections A and B which set out the overall basis, limitations, and further provisions which apply to this Scheme of Delegations and also general delegations to all Chief Officers.

All Delegated decisions taken in this sub-section by the Chief Executive will be published in the Executive Decision Register.

PROVIDED ALWAYS that the decision is:

- a) within budget;**
- b) in accordance with the Council's policy framework;**
- c) in accordance with Council's Financial and Land Procedure Rules and Contracts Procedure Rules;**
- d) in accordance with their Service Area Business Plan; and**
- e) not a matter specifically reserved for Full Council, a Committee of the Council, the Executive, a Statutory Officer, the Chief Executive, Corporate Directors, Chief Officers or Heads of Function,**

Chief Executive & Head of Paid Service	
CE1	To exercise any Executive Function (even where such matters are reserved to the Executive) in any case of urgency or where it is impracticable for the matter to be considered by the Executive and unless action is taken then the Authority would be likely to suffer a financial or other serious disadvantage or unlikely to be able to take advantage of a material opportunity.
CE2	To be Head of Paid Service.
CE3	To exercise corporate Council functions as appropriate.
CE4	To incur expenditure in the event of a civil emergency.
CE5	In cases of urgency or emergency, to take any decision on behalf of the Council (after consultation with the Leader).
CE6	For the purposes of the Local Government (Contracts) act 1997, authority for the City and County Treasurer and any one of the following – Chief Executive, Monitoring Officer and City and County Solicitor, to sign each certificate given under the Act.
CE7	To the Chief Executive or Nominee (Chief People and Organisational Development Officer)) to make decisions on employee Terms and Conditions, (including procedures for dismissal), except those relating to: <ul style="list-style-type: none"> • Chief Executive, Chief Officers and other JNC for Chief Officer posts; • Changes to the Council's corporate pay grade structure; • Changes for employee Terms and Conditions which are the subject of contention with the trade unions.
CE8	Functions of the Returning Officer.
CE9	Functions of the Electoral Registration Officer.

CE10	To appoint proper officers where required at law for the performance of Executive Functions.
CE11	Re-grading applications – To determine applications for re-grading from the Chief People and Organisational Development Officer.
CE12	To approve new operational HR employment policies and changes to existing policies as required. (CIS <u>4.HR.154</u>)
	Qualification: These may not be further delegated.

City and County Solicitor & Monitoring Officer	
LD1	To appoint proper officers or authorise an officer of the Authority for any purpose the performance of which is an Executive Function where statute requires that the officer should be appointed or authorised for that specific purpose or purposes.
LD2	All proper officer functions not allocated to other officers and to act as Solicitor to the Council.
LD3	Authority to affix the Common Seal of the Council.
LD4	<u>Local Government Act 1972 Part V – General Provisions as to Members & Proceedings of Local Authorities</u> Section 83(1) to (4) – Witness and Receipt of Declarations of Acceptance of Office.
LD5	Section 84 – Receipt of Declaration of Resignation of Office.
LD6	Section 88(2) – Convening meeting to fill casual vacancy of Chairman.
LD7	Section 89(1)(b) – Receipt of Notices of Casual Vacancy.
LD8	Section 96(1) – Receipt of notices of Pecuniary Interest.
LD9	Section 96(2) – Keeping Record of Disclosure of Pecuniary Interest under Section 94, and of Notices under Section 96 (1).
LD10	Section 99 and Schedule 12 Paragraph 4(2)(b) – Signature of Summonses to Council Meetings.
LD11	Section 99 and Schedule 12 Paragraph 4(3) – Receipt of Notices regarding Addresses to which Summonses to Meetings to be sent.
LD12	<u>Part V A – Access to Information</u> <ul style="list-style-type: none"> • Section 100B(2) – Exclusion of exempt items from public access. • Section 100B(7)C – Provision of copies of documents to newspapers. • Section 100C(2) – Provision of written summary of exempt proceedings. • Section 100D(1)(a) – Preparation of lists of background papers. • Section 100D(5) – Identification of background papers to a report. • Section 100F(2) – Identification of exempt information not to be disclosed.
LD13	<u>Part XI General Provision – Documents and Notices etc</u> <ul style="list-style-type: none"> • Section 228(3) – Inspection of accounts. • Section 229(5) – Certification of official documents. • Section 231(1) – Receipt of Notices served on the Council. • Section 233 – Service of Notices by the Council. • Section 234(1) & (2) – Signing of Documents. • Section 238 – Certification of bylaws.

City and County Solicitor & Monitoring Officer	
LD14	<p><u>Local Government Housing Act 1989</u></p> <ul style="list-style-type: none"> • Section 2(4) – Receipt of list of politically restricted posts. • Section 19(1) – Receipt of general notice of pecuniary interests from Members.
LD15	<p><u>Local Government (Committees & Political Groups) Regulations 1990</u></p> <p>Regulation 8 – Receipt of notice of formation of political groups and changes in membership of political groups.</p>
LD16	<p><u>Constitution (including Rules of Procedure)</u></p> <p>To exercise Delegations as set out in the Constitution (including Rules of Procedure)</p>
LD17	<p><u>Appointments</u></p> <p>To appoint councillors/added or non-councillor members to committee seats allocate to political groups or nominating bodies (or to make changes, fill vacancies or give effect to temporary membership changes – “substitutions”) in accordance with the wishes of political groups or added-member nominating body.</p>
LD18	To make appointments to outside bodies in accordance with the decision of Council.
LD19	To constitute the membership of appeals and complaints committees and Council Tax/Benefit Revenue Boards from panels of trained members.
LD20	<p><u>Representing the Council in the Courts, Tribunals or at Public Enquiries</u></p> <p>To authorise the institution, defence, withdrawal of compromise of any claims or legal proceedings, and or criminal, in consultation with the relevant Chief Officer, except where power to institute proceedings is delegated to specific officers.</p>
LD21	To appear personally or authorise officers of the Council to appear on the Council’s behalf in court proceedings or at any tribunal or public or local inquiry.
LD22	To engage Counsel to represent the Council at any proceedings.
LD23	To defend and settle (subject to consultation with the relevant Chief Officer and the Chief People and Organisational Development Officer any Employment Tribunal proceedings.

City and County Solicitor & Monitoring Officer	
LD24	<u>Applications under Section 53 of the Wildlife and Countryside Act 1981</u> Authority to decide (using the guidelines contained in the legislation and any guidance issued by the authority) whether a claim is supported by sufficient evidence for an order to be made and (subject to circulation of details of such claims to Members of the Planning Committee) to serve notice on applicants who have submitted insufficient evidence or not met the legal requirements that no order be made.
LD25	<u>Pastoral Measure 1983</u> Authority to determine the Council's response to any proposal received for consultation to alter ecclesiastical boundaries under the Measure, taking into account the views of ward councillors for the area and subject to any of these councillors being able to require the matter to be decided by the Executive.
LD26	<u>Orders</u> To make all Statutory Orders.
LD27	Instituting criminal proceedings in cases of assault against employees where it is considered appropriate to do so in the interest of the County Council and where such proceedings have not been undertaken by the Police.
City and County Treasurer and Section 151 Officer	
FS1	Delegated Powers conferred on the City and County Treasurer under Financial Procedure Rules.
FS2	To be the Officer with responsibility for the proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972 and meeting the requirement under Section 113 of the Local Government Finance Act 1988 to be a member of one of the recognised accountancy bodies.
FS3	To nominate a properly qualified member of staff to deputise should the City and County Treasurer be unable to perform his/her duties under Section 114 of the Local Government Finance Act 1988.
FS4	To facilitate and manage the co-ordination of medium term financial planning, annual budget planning, budget monitoring and the preparation of statutory and other accounts, associated grant claims and supporting records.
FS5	To manage the Council's financial affairs and services, including all matters relating to the Collection Fund, General Fund, Housing Revenue Account, Treasury Management, Reserves and Provisions, Subsidiary Accounts, all other funds established under statutory requirements and trust funds including charitable trust funds where the Council or its officers are trustees.

City and County Treasurer and Section 151 Officer	
FS6	For the purpose of the Local Government (Contracts) Act 1997, authority for the City and County Treasurer and any one of the following – Chief Executive, Monitoring Officer and City and County Solicitor, to sign each certificate given under the Act.
FS7	To carry out the functions and exercise the powers of the Authority under Part 1 of the Local Government Finance Act 1988 (Administration and Collection of Community Charges).
FS8	To carry out the functions and exercise the powers of the Authority under Parts I and II of the Local Government Finance Act 1992 (except determinations under Sections 8 (2) or 12 (1) of the 1992 Act) (Administration and Collection of Council Tax).
FS9	To carry out the functions and exercise the powers of the Authority under Part II of the Local Government Finance Act 1988 (except Sections 47 and 56 and Schedules 7 and 7A (Administration and Collection of Non-Domestic Rates).
FS10	To operate the Authority's main bank account and arrange for all cheques to bear the signature of the City and County Treasurer.
FS11	To arrange and operate other bank accounts and to nominate authorised signatories to act on behalf of the Council.
FS12	To approve arrangements for bank accounts for cheque book schools.
FS13	To write off of irrecoverable debts and to determine the payment period of debts where debtors offer to pay by instalments where the debt in question does not exceed £100,000.
FS14	To determine the level of security for the due performance of any contract and to approve Contract Guarantee Bonds.
FS15	To accept nominations of admitted bodies to participate in the Superannuation Fund.
FS16	To determine the appropriate rate of interest where chargeable under any statutory power of the Authority.
FS17	To approve deductions from pay in suitable cases when requested by staff.
FS18	To grant extensions of repayment periods under house mortgages granted by the Authority and on the repossession of mortgaged houses, to sell the same by auction or by private treaty or to foreclose in appropriate cases.
FS19	To waive the right to recovery of salaries paid in advance to employees under Section 30 of the Local Government (Miscellaneous Provisions) Act 1976.
FS20	To authorise the invitation of tenders, quotations, offers or bids and agree appropriate tender evaluation criteria for Framework/Call-off arrangements in accordance with the Contracts Procedure Rules and where appropriate for that purpose, approve select lists of contractors, suppliers and tenderers.

City and County Treasurer and Section 151 Officer	
FS21	To approve the acceptance of tender bids, quotations or estimates for Framework/Call-off arrangements in accordance with the Contracts Procedure Rules within financial estimates where: (a) Where the value of the contract does not exceed £5,000,000 and the contract is awarded to the lowest tenderer; or (b) even though the tender is not the lowest provided that the value of the contract does not exceed £1,000,000
FS22	To approve the write-off of stocks, stores and other assets where the value of the stocks, stores or other assets does not exceed £50,000.
FS23	To issue legal proceedings (and under Section 223 of the Local Government Act 1972 be authorised to appear on behalf of the County Council at the hearing of any legal proceedings in the Magistrates Court) by way of an application for the issue of a Liability Order in respect of:- <ul style="list-style-type: none"> • unpaid Council Taxes and penalties under Part VI of the Council Tax (Administration and Enforcement) Regulations 1992; by way of an application for the issue of a warrant of commitment to prison under Part VI of the Council Tax (Administration and Enforcement) Regulations 1992; to require financial information, to make an Attachment of Earnings Order; to levy the appropriate amount by distress and sale goods; and to exercise all other enforcement powers of the County Council under the Council Tax (Administration and Enforcement) Regulations 1992 and any subsequent amendments of such Regulations • unpaid rates; by way of an application for the issue of a warrant of commitment; and to exercise all other powers of enforcement of the County Council under the Non-Domestic (Collection and Enforcement) (Local Lists) Regulations 1989 and any amendment thereto.
FS24	To engage the services of bailiffs for the service of summonses and warrants of commitment, obtaining financial information, the levying of distress warrants and the sale of goods and any appropriate action for the recovery of outstanding Community Charges under the Local Government Finance Act 1988 and any regulations made there under and outstanding Council Taxes and penalties under the Local Government Finance Act 1992 and any Regulations made there under.
FS25	To engage the services of bailiffs to serve such summonses, distress warrants, liability orders or warrants of commitment, to levy distress and to sell goods as may be necessary to recover outstanding rates.
FS26	The settlement of claims, in special circumstances (individual claims for loss or damage to employees' personal effects up to a maximum of £100). (CIS 4.F.IN.021A)
FS27	To approve revenue and capital budget virements or any inter-service virements where the purpose of the budget has not been amended.
FS28	In accordance with any policy or strategy decided by the Authority to approve decisions relating to the management of the pension fund and the administration of pension benefits.

City and County Treasurer and Section 151 Officer	
FS29	To authorise the disposal of land or an interest in land having a value of not more than £100,000 and to be the Designated Body for the purposes of the Procedure Rules for the Acquisition or Disposal of Land for disposal of land or an interest in land not exceeding £100,000 provided that the offer that represents the best price reasonably obtainable by the Authority and provided that the offer so accepted is on price alone
FS30	To approve the acquisition of land or an interest in land at a cost not exceeding £100,000 providing that the value does not exceed the market value
FS31	To take or grant leases at rents not exceeding £100,000 pa.
FS32	To agree rent reviews where the change in rent does not exceed £100,000 pa.
FS33	To agree renewal or restructuring of existing leases where the rent does not exceed £100,000 pa.
FS34	To grant tenancies at the Service's managed Workshops where the rent does not exceed £100,000 pa.
FS35	To be the Designated Body for the purposes of paragraphs 2.1 (Invitation of Offers); 2.2 (Determination whether disposals will be by way of sealed offer, private treaty or auction) and paragraph 7.2 (instructions to the City and County Solicitor for the preparation and completion of documentation) of the Procedure Rules for the Acquisition or Disposal of Land
FS36	To be the Designated Body for the purposes of paragraph 2.3 (Determination of Private Treaty or offer from one person) of the Procedure Rules for the Acquisition or Disposal of Land
FS37	To grant the release or modification of restrictive covenants
FS38	To agree the acquisition of land or an interest in land up to £100,000.
FS39	To accept offers for disposals of land/or an interest in land where the value does not exceed £100,000.
FS40	To grant grazing licences, easements, leases to utility undertakings for operational purposes, temporary licences and renewals.
FS41	To grant landlord's consent to alterations to land involving change of use (other than A4.8).
FS42	To approve the Selection Panel's selection of tenderers for individual contracts.
FS43	To agree the sale of residential freehold reversions.
FS44	To grant the release or modification of restrictive covenants for alterations to residential premises.
FS45	To settle Part 1 claims under the Land Compensation Act 1973.
FS46	To grant landlord's consent to the assignment of existing tenancies.
FS47	To grant landlord's consent to the subletting of existing tenancies.
FS48	To grant landlord's consent to alterations to land involving no change of use.
FS49	To agree Council House sales under Right to Buy provisions.
FS50	Represent Cardiff Council at the Cardiff Bus AGM.
FS51	To carry out functions relating to local government pensions etc pursuant to Regulations under Section 7, 12 or 24 or the Superannuation Act 1972; and functions relating to pensions, allowances and gratuities pursuant to Regulations under Section 18(3A) of the Local Government and Housing Act 1989.

FS52	To declare Operational Land and Property as surplus to the Council's requirements, subject to consultation with service areas and ward Members, and subject to no objections being received from ward Members. Receipt of a ward Member objection will require the report to be referred to the Executive for decision.
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Chief People and Organisational Development Officer	
HR1	Amendments to Establishment – To approve the proposals of Chief Officers to <ul style="list-style-type: none"> • Determine any applications for re-grading at Operational Manager Level and below (CIS <u>4.C.134</u>) • Vary their establishment by:- (CIS <u>4.C.238</u>) <ul style="list-style-type: none"> ○ Deleting posts ○ Creating posts (CIS <u>4.C.217</u>) ○ Re-designating and redefining existing posts
HR2	Re-grading Appeals – To determine appeals against decisions made on applications for re-grading from officers graded Operational Manager and below.
HR3	Appointment of temporary staff over and above establishment for periods in excess of 12 months where the funding for the post(s) is/are from external sources. (CIS Ref. 4.C.015)
HR4	Market Supplements – To approve the payment of Market supplements of up to a maximum of 30% of salary.
HR5	Determine requests for extension of half sick pay.
HR6	To determine appeals from staff with regard to unsuccessful applications for flexible working.
HR7	Approval of applications for voluntary severance for Operational Manager and below. (CIS <u>4.C.182</u>)

SUB-SECTION F**DELEGATIONS TO SPECIFIC OFFICERS**

- 1 The officers named below shall be authorised to exercise the following Delegations, provided always that the decision is:
- a) within budget
 - b) in accordance with the Council's policy framework
 - c) in accordance with Council's Financial and Land Procedure Rules and Contracts Procedure Rules
 - d) in accordance with their Service Area Business Plan
 - e) not a matter specifically reserved for Full Council, a Committee of the Council, the Executive, a Statutory Officer, the Chief Executive, Corporate Directors, Chief Officers or Heads of Function,

Ref.	Delegation
Operational Manager, Consumer Protection & Proper Officer	<ul style="list-style-type: none"> • To act as the Chief Inspector of Weights and Measures and to exercise the functions assigned to the Council as a weights and measures authority. • To act as the proper officer for the registration service and to exercise the functions assigned to the Council under the Registration Acts.
Corporate Director – Opportunities	<ul style="list-style-type: none"> • To decide on the reception of persons into guardianship of the Authority under sections 7 and 37 of the Mental Health Act 1983, exercise of functions of nearest relative of persons so suffering and to make appointments of Approved Social Workers • To be the Council's Lead Officer on Children's Services for the purposes of the Children Act 2004.
Chief Strategic Planning & Environment Officer	<ul style="list-style-type: none"> • To exercise all functional responsibilities delegated by the Planning Committee, the Licensing Committee and the Public Protection Committee.
Corporate Director – Environment	<ul style="list-style-type: none"> • To make compulsory purchase orders in respect of single houses under Part II of the Housing Act 1985 and or the Acquisition of Land Act 1981

Section 5 - Delegations to Joint Committees

Glamorgan Archives Joint Committee	All powers and duties in connection with the care preservation maintenance and management of archives and records except the power of setting a budget or borrowing money, subject to the terms of the agreement dated 11 th April 2006.
Welsh Purchasing Consortium	Subject to the terms of the agreement dated 26 th November 1998, such powers as are necessary to procure the commodities listed in Schedule 4 of the agreement, other than powers to (i) incur capital expenditure; and or (ii) procure or order goods or make purchases or in any other way incur revenue expenditure on behalf of a Member without that Member's previous consent.

Annex 1

Responsibility for Non-Executive Council Functions

Function	Responsibility
<p>Functions relating to town and country planning and development control</p> <ol style="list-style-type: none"> 1. Power to determine application for planning permission. 2. Power to determine applications to develop land without compliance with conditions previously attached. 3. Power to grant planning permission for development already carried out. 4. Power to decline to determine application for planning permission. 5. Duties relating to the making of determinations of planning applications. 6. Power to determine application for planning permission made by a local authority, alone or jointly with another person. 7. Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights. 8. Power to enter into agreement regulating development or use of land. 9. Power to issue a certificate of existing or proposed lawful use or development and power to revoke such a certificate. 10. Power to serve a completion notice. 11. Power to grant consent for the display of advertisements. 12. Power to authorise entry onto land. 13. Power to require the discontinuance of a use of land. 14. Power to serve a planning contravention notice, breach of condition notice or stop notice. 15. Power to issue an enforcement notice. 16. Power to apply for an injunction restraining a breach of planning control. 17. Power to determine applications for hazardous substances consent, and related powers. 18. Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject. 19. Power to require proper maintenance of land. 20. Power to determine application for listed building consent, and related powers. 21. Power to determine applications for conservation area consent. 22. Duties relating to applications for listed building consent and conservation area consent. 23. Power to serve a building preservation notice, and related powers. 24. Power to issue enforcement notice in relation to demolition of unlisted building in conservation area. 	<p>Planning Committee</p>

<ol style="list-style-type: none"> 25. Powers to acquire a listed building in need of repair and to serve a repairs notice. 26. Power to apply for an injunction in relation to a listed building. 27. Power to execute urgent works. 28. Power related to mineral working 29. Power related to footpaths and bridleways (in respect of section 257 of the Town and Country Planning Act 1990). 30. Power as to certification of appropriate alternative development. 31. Duties in relation to purchase notices 32. Powers related to blight notices 33. Powers relating to the preservation of trees. 34. Powers relating to the protection of important hedgerows 	
<p>Functions relating to Licensing and registration:-</p> <ol style="list-style-type: none"> 1. Power to issue licences authorising the use of land as a caravan site (“site licences”). 2. Power to license the use of moveable dwellings and camping sites. 3. Power to license hackney carriages and private hire vehicles. 4. Power to license drivers of hackney carriages and private hire vehicles. 5. Power to license operators of hackney carriages and private hire vehicles. 6. Power to register pool promoters. 7. Power to grant track betting licences. 8. Power to license inter-track betting schemes. 9. Power to grant permits in respect of premises with amusements machines. 10. Power to register societies wishing to promote lotteries. 11. Power to grant permits in respect of premises where amusements with prizes are provided. 12. Power to issue entertainments licences 13. Power to license sex shops and sex cinemas. 14. Power to license performances of hypnotism. 15. Power to license premises for acupuncture, tattooing ear piercing and electrolysis. 16. Power to license pleasure boats and pleasure vessels. 17. Power to license market and street trading. 18. Duty to keep list of persons entitled to sell non-medicinal poisons. 19. Power to license dealers in game and the killing and selling of game. 20. Power of register and license premises for the preparation of food. 21. Power to register scrap yards. 22. Power to issue, amend or replace safety certificates (whether general or special) for sports grounds. 23. Power to issue, cancel, amend or replace safety certificates for regulated stands at sports grounds. 24. Duty to promote fire safety. 25. Power to license premises for the breeding of dogs. 26. Power to license pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business. 27. Power to register animal trainers and exhibitors. 28. Power to license zoos. 	<p>Public Protection Committee</p>

<p>29. Power to license dangerous wild animals. 30. Power to enforce regulations in relation to animal by-products. 31. Power to license the employment of children. 32. Power to approve premises for the solemnisation of marriages and the registration of civil partnerships. 33. Power to issue a permit to conduct charitable collections. 34. Power to grant consent for the operation of a loudspeaker. 35. Power to grant a street works licence. 36. Duty to register the movement of pigs. 37. Power to enforce regulations in relation to the movement of pigs. 38. Power to issue a licence to move cattle from a market.</p>	
Function	Responsibility
<p>39. Power to sanction use of parts of buildings for storage of celluloid. 40. Duty to enforce and execute Regulations (EC) No 852/2004 and 853/2004 in relation to food business operators as further specified in regulation 5 of the Food (Hygiene) (Wales) Regulations 2006. 41. Power to make an order identifying a place as a designated public place for the purposes of police powers in relation to alcohol consumption. 42. Powers in respect of registration of motor salvage operators. 43. Power to register common land or town or village greens, except where the power is exercisable solely for the purpose of giving effect to: (a) An exchange of lands effected by an order under Section 19(3) of, or paragraph 6 (4) of Schedule 3 to, the Acquisition of Land Act 1981 (c.67) or (b) An order under Section 147 of the Enclosure Act 1845 (c.8 & 9 Vict.c.118). 44. Power to register variation of rights to common.</p>	Public Protection Committee
<p>Functions in respect of establishing a Licensing Committee (pursuant to section 6 of the Licensing Act 2003)</p>	Council
<p>Functions relating to Health and Safety at Work</p> <p>Functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of Health and Safety at Work etc. Act 1974), to the extent that those functions are discharged otherwise than in the authority’s capacity as an employer.</p>	Public Protection Committee

<p>Functions relating to Elections</p> <ol style="list-style-type: none"> 1. Duty to appoint an electoral registration officer. 2. Power to assign officers in relation to requisitions of the registration officer. 3. Power to dissolve community councils. 4. Power to make orders for grouping communities. 5. Power to make orders for dissolving groups and separating community councils from groups. 6. Duty to appoint returning officer for local government elections. 7. Duty to provide assistance at European Parliamentary elections. 8. Duty to divide constituency into polling districts. 9. Power to divide electoral divisions into polling districts at local government elections. 10. Powers in respect of holding of elections. 11. Power to pay expenses properly incurred by electoral registration officers. 12. Power to fill vacancies in the event of insufficient nominations. 13. Duty to declare vacancy in office in certain cases. 14. Duty to give public notice of a casual vacancy. 15. Power to make temporary appointments to community councils. 16. Power to determine fees and conditions for supply of copies of, or extracts from, elections documents. 17. Power to submit proposals to the Secretary of State for an order under section 10 (pilot schemes for local elections in England and Wales) of the Representation of the People Act 2000. 	<p>Council</p>
<p>Functions relating to Name and Status of Areas and Individuals</p> <p>Note: The following Council functions are not delegated to any committee and will be discharged by the Council itself:-</p> <ol style="list-style-type: none"> 1. Power to change the name of a county or county borough. 2. Power to change the name of a community 3. Power to confer title of honorary alderman or to admit to be an honorary freeman 4. Power to petition for a charter to confer county borough status. <p>Power to make, amend, revoke or re-enact byelaws.</p> <p>Power to promote or oppose local or personal Bills.</p>	<p>Council</p>
<p>Functions relating to Pensions</p> <ol style="list-style-type: none"> 1. Functions relating to local government pensions, etc pursuant to Regulations under Section 7, 12 or 24 of the Superannuation Act 1972 2. Functions relating to pensions, allowances and gratuities pursuant to 	<p>City and County Treasurer</p>

<p>Regulations under Section 18(3A) of the Local Government and Housing Act 1989.</p>	
<p>Miscellaneous Functions</p> <ol style="list-style-type: none"> 1. Duty to approve authority's statement of accounts, income and expenditure and balance sheet or record of receipts and payments (as the case may be). 2. Functions relating to sea fisheries. 3. Power to make standing orders 4. Power to make standing orders as to contracts. 5. Power to consider reports from the Public Services Ombudsman for Wales. 6. Duty to determine affordable borrowing limit. 7. Approval of annual investment strategy in accordance with guidance 	<p>Council</p>
<ol style="list-style-type: none"> 1. Appointment and dismissal of Chief Officers, Corporate Directors and Chief Executive 2. Power to appoint officers for particular purposes (appointment of "proper officers") 3. Duty to designate an officer as the head of the authority's paid service, and to provide staff, etc. 4. Duty to designate an officer as the monitoring officer and to provide staff, etc. 5. Duty to make arrangements for proper administration of financial affairs 	<p>Appointments Committee</p>
<p>The promotion and maintenance of high standards of conduct within the Council</p> <ol style="list-style-type: none"> 1. To advise the Council on the adoption or revision of its Code of Conduct. 2. To monitor and advise the Council about the operation of its Code of Conduct in the light of best practice, changes in the law, guidance from the Public Services Ombudsman for Wales and recommendations of case tribunals under section 80 of the Local Government Act 2000. 3. To determine complaints referred by the Public Services Ombudsman for Wales. <p>Assistance to Members and Co-opted Members of the Authority</p> <p>To ensure that all Members of the Council have access to training in all</p>	<p>Standards & Ethics Committee</p>

aspects of the Member Code of Conduct, that this training is actively promoted, and that Members are aware of the standards expected from local Councillors under the Code.	
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ANNEX 2

TERMS OF REFERENCE FOR COMMITTEES

Committee	Terms of Reference
Appointments	To shortlist, interview, make the appointments of Chief Executive, Corporate Directors and Chief Officers and conclude contractual matters with the successful applicants on behalf of the Council.
Disciplinary & Grievance Appeals	<p>To hear and determine:</p> <ul style="list-style-type: none"> (a) all appeals by employees of the Council who may have a right to appeal to Councillors in accordance with disciplinary and grievance procedures approved by the Council; and (b) all other appeals from disciplinary actions which may be referred to it, whether by the Council or a Committee; and (c) grievances by and against the Chief Executive in accordance with grievance procedures approved by the Council; and, with a differently constituted membership, appeals following decisions on such grievances; and (d) in exceptional circumstances, where the Chief Executive cannot address matters because of an associated grievance, disciplinary proceedings against a Chief Officer or Corporate Director; and, with a differently constituted membership, appeals following decisions in such disciplinary proceedings <p>On hearing each case the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, except where retirement or redundancy is contemplated, when consultation with the Executive will take place prior to determination of the matter.</p> <p>The Committee, when sitting to hear an individual case, shall comprise not less than three nor more than five members. From the members appointed to serve on the Committee, those who are to sit to hear any particular matter shall be chosen by rota following consultation with the Group Whips, subject to the exclusion of any member who:</p> <ul style="list-style-type: none"> (i) is a member of the Executive or of a Committee principally concerned with the service in which the employee concerned is employed; or (ii) has been concerned in any previous consideration of the matter which has given rise to the disciplinary action, grievance, or decision from which an appeal arises. <p>At each sitting of the Committee to hear a disciplinary matter or appeal, the</p>

Committee	Terms of Reference
	<p>Committee shall, firstly, ensure that the matter of complaint has been clearly put to the employee and, secondly, that the employee has been afforded the opportunity of being represented at the hearing by such friend, trade union officer, lawyer or other representative as he/she may choose.</p> <p>In any hearing the Committee shall conform to the rules of natural justice.</p>
Licensing	<p>To be the Council's Licensing Committee as required by the Licensing Act 2003 and Gambling Act 2005 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under those Acts.</p>
Public Protection	<p>(a) Those functions listed in Sections B and C, and paragraph 10 of Section I, of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities)(Wales) Regulations 2007 (the Regulations), any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations, except to the extent that such matters fall to the Licensing Committee by virtue of Section 7 of the Licensing Act 2003 or the Gambling Act 2005.</p> <p>(b) In relation to those functions acting as Appeal Committee where appropriate.</p> <p>(c) The discharge of any function relating to the control of pollution or the management of air quality.</p> <p>(d) The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area.</p> <p>(e) Any function relating to contaminated land.</p> <p>(f) The service of an abatement notice in respect of a statutory nuisance.</p> <p>(g) Any function under a local Act of a licensing or regulatory nature.</p> <p>(h) Any function in relation to the making of Alcohol Consumption in Designated Public Places Orders under the provisions of the Criminal Justice and Police Act 2001.</p>
Planning	<p>(a) Those functions listed in Section A of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p> <p>(b) Those functions listed in paragraphs 3 and 4 of Section I of Schedule 1 of the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007 and any amendments thereto and any matters ancillary thereto as defined in Regulation 3 (2) to (4) of the Regulations.</p>
Council Appeals	<p>To hear and determine appeals (other than those appeals which are within the terms of reference of any other Committee) from determinations and decisions of</p>

Committee	Terms of Reference
	<p>the Authority where there is a statutory requirement for there to be an appeal to Members of the Council or where such appeal is allowed for in any policy or procedure approved by the Council.</p> <p>On hearing an appeal the Committee shall be empowered, on behalf and in the name of the Council, to make such order as it considers appropriate, within the range of decisions permissible at law.</p> <p>The Committee, when sitting to hear an appeal, shall not include any Members of the Executive, or Members of any Committee principally concerned with the service by which the decision or determination has been made, or Members who have been concerned in any previous consideration of the matter, which has given rise to or from which the appeal arises.</p> <p>At each sitting of the Committee to hear an appeal, the Committee shall, firstly, ensure that the appeal has been properly made and, secondly, that the appellant has been afforded the opportunity of being represented at the hearing of his/her appeal by such friend, lawyer or other representative as he/she may choose.</p> <p>In hearing an appeal the Committee shall conform to the rules of natural justice.</p>
<p>Standard & Ethics</p>	<ul style="list-style-type: none"> (a) To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services, and to report to the Council on any matters of concern. (b) To advise the Council on the content of its Ethical Code and to update the Code as appropriate. (c) To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application. (d) To consider and determine the outcome of complaints that Councillors and co-opted members have acted in breach of the Code in accordance with procedures agreed by the Standards Committee, including the imposition of any penalties available to the Committee. (e) To oversee and monitor the Council's whistle blowing procedures and to consider ethical issues arising from complaints under the procedure and other complaints. (f) To grant or refuse requests for dispensations in respect of Members' interests under the Members Code of Conduct in accordance with the relevant statutory provisions. (g) To undertake those functions in relation to community councils situated in the area of the Council and members of those community councils which are required by law (h) To recommend to Council and the Executive any additional guidance on issues of probity.

Committee	Terms of Reference
	<p>(i) To hear and determine any complaints of misconduct by Members or a report of the Monitoring Officer, whether on reference from the Ombudsman or otherwise.</p> <p>(j) To recommend the provision to the Monitoring Officer of such resources as he/she may require for the performance of his/her duties.</p>
Employment Conditions	<p>(a) To consider and determine policy and issues arising from the organisation, terms and conditions of individual employees at Chief Officer level and above (together with any other category of employee specified in Regulation from time to time) where this is necessary.</p> <p>(b) To decide requests for re-grading of posts at Chief Officer level and above (together with any other category of employee specified in Regulation from time to time) whether by way of appeal by an employee against a decision to refuse a re-grading application or to decide applications for re-grading which are supported.</p>
Constitution	<p>To review the Council's Constitution, and to recommend to Council and/or Executive any changes, except that the Committee will have authority (subject to the Monitoring Officer's advice) to make the following changes on behalf of the Council:-</p> <p>(a) Drafting improvements to enhance clarity and remove minor anomalies.</p> <p>(b) Updating to reflect legislative changes and matters of record.</p> <p>(c) Amendments to the Financial, Contracts and Land Procedure Rules (subject to the advice of the S.151 Officer being sought).</p>
SCRUTINY Children & Young People Scrutiny	<p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of children and young people, including :</p> <ul style="list-style-type: none"> • School Improvement • Schools Organisation • School Support Services • Education Welfare & Inclusion • Early Years Development • Special Educational needs • Governor Services • Children's Social Services • Children & Young Peoples Partnership • Youth Services and Justice • Play Services <p>To assess the impact of partnerships with and resources and services provided by external organisations including the National Assembly for Wales, Assembly Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p>

Committee	Terms of Reference
	To report to an appropriate Executive or Council meeting on its findings and to make recommendations on measures, which may enhance Council performance in this area.
Community & Adult Services	<p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of community and adult services, including:</p> <ul style="list-style-type: none"> • Public and Private Housing • Disabled Facilities Grants • Community Safety • Neighbourhood Renewal and Communities Next • Advice & Benefit • Consumer Protection • Older Persons Strategy • Adult Social Care • Community Care Services • Mental Health & Physical Disabilities • Commissioning Strategy • Health Partnership • Local Service Board <p>To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Assembly Government, Assembly-sponsored public bodies, quasi-departmental non-governmental bodies and health services on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Executive or Council meeting on its findings and to make recommendations on measures which may enhance the Authority's performance in this area.</p> <p>To be the Council's Crime and Disorder Committee as required by the Police and Justice Act 2006 and any re-enactment or modification thereof; and as full delegate of the Council to exercise all the powers and functions permitted under that Act.</p>

Committee	Terms of Reference
Economy & Culture	<p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of economic regeneration.</p> <ul style="list-style-type: none"> • Cardiff Business Partnership • Cardiff & Co Marketing Initiative • South East Wales Economic Forum • Economic Strategy & Employment • European Funding & Investment • SME Support • Cardiff Harbour Authority • Lifelong Learning • Leisure Centres • Sports Development • Parks & Green Spaces • Libraries, Arts & Culture • Civic Buildings • Events & Tourism • Strategic Projects • Innovation & Technology Centres • Local Training & Enterprise <p>To assess the impact of external organisations including the National Assembly for Wales, Assembly Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Executive or Council meeting on its findings and to make recommendations on measures, which may enhance Council performance in this area.</p>
Environmental	<p>To scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of environmental sustainability, including:</p> <ul style="list-style-type: none"> • Strategic Planning Policy • Sustainability Policy • Environmental Health Policy • Public Protection Policy • Licensing Policy • Waste Management • Strategic Waste Projects • Street Cleansing • Cycling and Walking • Streetscape • Strategic Transportation Partnership • South East Wales Transport Alliance • Transport Policy and Development • Intelligent Transport Solutions • Public Transport • Parking Management

Committee	Terms of Reference
Environmental	<p>To assess the impact of external organisations including the National Assembly for Wales, Assembly Sponsored Public Bodies and quasi-departmental non-governmental bodies on the effectiveness of Council service delivery.</p> <p>To report to an appropriate Executive or Council meeting on its findings and to make recommendations on measures, which may enhance Council performance in this area.</p>
Policy Review & Performance	<p>To scrutinise, monitor and review the overall operation of the Cardiff Programme for Improvement and the effectiveness of the general implementation of the Council's policies, aims and objectives, including:</p> <ul style="list-style-type: none"> • Strategic Policy Development • Strategic Programmes • Community Planning & vision Forum • Voluntary Sector Relations • Citizen Engagement & Consultation • Corporate Communications • International Policy • Council Business Management and Constitutional Issues • Equalities • Finance and Corporate Grants • Organisational Development • Fundamental Operational Review • E-Government and ICT • Property and Procurement • Carbon Management • Contact Centre Services and Service Access • Legal Services <p>To scrutinise, monitor and review the effectiveness of the Council's systems of financial control and administration and use of human resources.</p> <p>To report to an appropriate Executive or Council meeting on its findings and to make recommendations on measures, which may enhance Council performance in this area.</p>