GENERAL DELEGATIONS TO OFFICERS

1.   The fact that a function has been delegated to an officer does not require that officer to give the matter his/her personal attention and that officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the officer to whom the delegation has been made remains responsible for any decision taken pursuant to such arrangements

2.   Subject to the exception listed below, in respect of approvals, licences, permission or registrations which come within the terms of their delegated authority, the Chief Executive, all Directors, Chief Officer (Financial Services), City Solicitor and other named officers[1] are authorised[2]:

   (a)   to impose conditions, limitations or restrictions;

   (b)   to determine any terms to which they are subject;

   (c)   to determine whether and how to enforce any failure to comply[3];

   (d)   to amend, modify, vary or revoke; and

   (e)   to determine whether a charge should be made or the amount of such a charge.

3   The Chief Executive, all Directors, Chief Officer (Financial Services) and City Solicitor are authorised to carry out the following in respect of those functions for which they have delegated authority[4]:

   (a)   to make payments or provide other benefits in cases of maladministration[5];

   (b)   functions relating to health and safety under any relevant statutory provision within the meaning of Part 1 of the Health and Safety at Work

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[1] These are all other officers listed in Article 12.

[2] An officer may consider in respect of any matter that the authority delegated under this scheme may not be exercised and if so, may refer the matter to the relevant committee for determination.

[3] including

  - any failure to comply with such an approval, consent, licence, permission or registration,
  - any failure to comply with a condition, limitation or term; to which any such approval, consent, licence, permission or registration is subject; or
  - any other contravention in relation to a matter with regard to which the function of determining an application for approval, consent, licence, permission or registration would not be the responsibility of the executive.

[4] An officer may consider in respect of any matter that the authority delegated under this scheme may not be exercised and if so, may refer the matter to the relevant committee for determination.

[5] Item 48 of Para I of Schedule 1 to the Local Authorities (Functions and Responsibilities)(England) Regulations 2000 as amended

Act 1974, to the extent that these functions are discharged otherwise than in the Council's capacity as employer;

(c)[6]   (i) to appoint staff within the approved establishment in accordance with the Council's Recruitment and Selection Procedure;

(ii) to appoint staff on a temporary basis to provide cover for absences or cater for peaks in workload subject to there being budgetary provision. Such staff should be employed on terms set out in the guidance issued by the Director of Resources; and

(iii) to determine issues relating to officers' terms and conditions of employment and to take such action and enter into such agreement as may be required to give effect to such determinations.

(d)   The preparation, monitoring, review and enforcement of byelaws[7].

Exceptions:

The Chief Planning Officer's authority is subject to those exceptions set out in the Chief Planning Officer's delegation within the Officer Delegation Scheme (Council (non-executive) functions).

The named officers'[8] authority is subject to an exception in respect of those matters where the relevant Director has directed that the delegated authority should not be exercised and that the matter be referred to him/her or the relevant committee for consideration.

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[6] All officers are nominated for this purpose by the Head of Paid Service
[7] The power to make, amend, revoke or re-enact byelaws is reserved to full council in accordance with Para F of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000
[8] See footnote 2 above