

SECTION 3A: RESPONSIBILITY FOR EXECUTIVE FUNCTIONS

- 3.1 Executive functions include those local choice functions identified in Section 1 as the responsibility of the Executive, and all other functions of the Authority not specified in Section 2.
- 3.2 All executive functions will be discharged by the Executive as a whole, save to the extent that such functions are delegated to Joint Committees (see Joint Arrangements) to Area Committees under Part 3D of the Constitution, or Officers (see Officer Delegation Scheme executive functions).
- 3.3 The names, addresses and wards of the Leader and the Members of the Authority appointed by the Leader to the Executive are as follows:

Leader of Council

Name	Address	Ward
Cllr Keith Wakefield Labour Group	35 Beech Grove Avenue Garforth Leeds LS25 1EF	Kippax and Methley

Deputy/Designated Deputy Leader¹

Name	Address	Ward
Cllr Judith Blake Labour Group	Woodview Billams Hill Otley Leeds LS21 2DZ	Middleton Park
Cllr Peter Gruen Labour Group	Hawthorne House 474 Shadwell Lane Leeds LS17 8BA	Crossgates and Whinmoor

¹ For the following periods:

Period	Deputy Leader	Designated Deputy Leader
Annual meeting 2011 to 31 July 2011	Cllr Judith Blake	Cllr Peter Gruen
1 August 2011 to 31 September 2011	Cllr Peter Gruen	Cllr Judith Blake
1 October 2011 to 30 November 2011	Cllr Judith Blake	Cllr Peter Gruen
1 December 2011 to 31 January 2012	Cllr Peter Gruen	Cllr Judith Blake

and thereafter on the same rotational basis for the remainder of the Leader's term of office.

Executive Functions

Executive Members

Name	Address	Ward
Cllr Lucinda Yeadon Labour Group	2 Vesper Place Leeds LS5 3JR	Kirkstall
Cllr Richard Lewis Labour Group	121 Roker Lane Pudsey Leeds LS28 9NB	Pudsey
Cllr Mark Dobson Labour Group	9 Westbourne Drive Leeds LS25 1BT	Garforth and Swillington
Cllr Adam Ogilvie Labour Group	125 Cross Flatts Grove Beeston Leeds LS11 7BN	Beeston and Holbeck
Cllr Andrew Carter Conservative Group	15 Clarke Street Calverley Leeds LS28 5NH	Calverley and Farsley
Cllr Stewart Golton Liberal Democrat Group	5 Farrer Lane Oulton Leeds LS26 8JP	Rothwell
Cllr Robert Finnigan Morley Borough Independents	Morley Borough Independents Office Morley Town Hall Queen Street Morley, Leeds, LS27 9DY	Morley North

SECTION 3B (a) : EXECUTIVE MEMBER PORTFOLIOS

EXECUTIVE MEMBER	DECISION MAKING OVERVIEW¹
Resources and Corporate Functions Cllr Keith Wakefield Labour Group	Chief Executive, Deputy Chief Executive, City Solicitor, Assistant Chief Executive (Planning Policy and Improvement) excluding functions relating to area based working arrangements ² , Chief Officer (Customer Services) and Director of Resources.
Development and the Economy Cllr Richard Lewis Labour Group	Director of City Development ³ (excluding functions relating to culture and leisure, and environmental management), Chief Officer Highways and Transportation, Chief Planning Officer and Chief Economic Development Officer.
Environmental Services Cllr Mark Dobson Labour Group	Director of City Development (functions relating to environmental management ⁴ only), Director of Environment and Neighbourhoods (relating to statutory nuisances, air pollution, environmental protection, waste policy and streetscene functions) ⁵ and Chief Environmental Services Officer ⁶ (excluding functions relating to the condition and occupation of private housing; caravan sites).
Neighbourhoods, Housing and Regeneration Cllr Peter Gruen Labour Group	Director of Environment and Neighbourhoods ⁷ (excluding functions relating to statutory nuisances, air pollution, environmental protection, waste policy and streetscene functions), the Chief Environmental Services Officer (functions relating to the condition and occupation of private housing; caravan sites only ⁸), and Assistant Chief Executive (Planning Policy and Improvement) (functions relating to area based working arrangements only) ⁹

¹ References are to functions delegated under the officer delegation scheme (executive functions)

² Function (k) delegated to the Assistant Chief Executive (Planning Policy and Improvement)

³ Functions 1 (a) – (c), 2 (a) – (k) delegated to the Director of City Development

⁴ Function (l) delegated to the Director of City Development

⁵ Functions 1(a) – (e) and 2 (h) - (k) delegated to the Director of Environment and Neighbourhoods,

⁶ Functions 1(a) – (e) and 2 (c) – (e) delegated to the Chief Environmental Services Officer

⁷ Functions 2(a) -(g) delegated to the Director of Environment and Neighbourhoods

⁸ Functions 2(a) and (b) delegated to the Chief Environmental Services Officer

⁹ Function (k) delegated to the Assistant Chief Executive (Planning Policy and Improvement)

Executive Functions

EXECUTIVE MEMBER	DECISION MAKING OVERVIEW¹
Children's Services¹⁰ Executive Member Cllr Judith Blake Labour Group	Director of Children's Services
Leisure Cllr Adam Ogilvie Labour Group	Director of City Development (functions relating to culture and leisure) ¹¹ and Chief Libraries Arts and Heritage Officer
Adult Health and Social Care Cllr Lucinda Yeadon Labour Group	Director of Adult Social Services

¹⁰ The Executive Member for Children's Services is the Lead Member for Children's Services appointed in accordance with the Section 19 of the Children Act 2004 and must therefore have responsibility for the functions conferred on or exercisable by the authority specified in S18(1)(a) and (b) of the Children Act 2004 and such other functions as the authority consider appropriate.

¹¹ Functions 2(m) - (q) delegated to the Director of City Development

**SECTION 3B (b): EXECUTIVE MEMBERS
OVERVIEW OF ROLES AND RESPONSIBILITIES**

POST	AREA OF RESPONSIBILITY
Executive Member for Resources and Corporate functions	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Equality and diversity, communications, performance, customer services, procurement, risk management and international relations activities; • HQ support services including ICT, Human Resources, legal, financial services and corporate landlord; • Democratic services including member support, committee/scrutiny support, corporate governance and the Lord Mayor's office; • Corporate support for Public Private Partnership ventures; • Traded services comprising catering and cleaning, property maintenance, fleet services, and passenger transport services; • school crossing patrols. <p>To chair the Leeds Initiative Board and represent the Council on key inter-sector and inter-authority partnerships.</p>
Executive Member for Leisure	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Libraries, record repositories, museums and art galleries, public entertainments, halls and venues and the arts; • Parks; • Sports facilities; • Countryside management; • Cemeteries, crematoria, burial grounds and mortuaries. <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
Executive Member for Development and the Economy	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • The provision of strategic property and asset management services; • Economic, transport and planning policy development; • Highway authority and road traffic authority

Executive Functions

POST	AREA OF RESPONSIBILITY
	<p>services including highway design services;</p> <ul style="list-style-type: none"> • Planning and building control services; • Land drainage activities; • The provision of architectural design related services; • Tourism and City Marketing; • Economic led regeneration. <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
<p>Executive Member for Environmental Services</p>	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Street cleaning; • Refuse collection; • Waste strategy; • Waste management; • Grounds maintenance; • Environmental enforcement; • Parking services and enforcement; • Sustainability, environmental policy and climate change; • Environmental protection (e.g. pest control, air pollution, food safety, health surveillance, health improvement, fuel savers team). <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
<p>Executive Member for Neighbourhoods Housing and Regeneration</p>	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • Housing (condition and occupation); • Housing led regeneration; • The reduction of crime, disorder and anti-social behaviour; • Neighbourhood renewal and area-based working arrangements; • Locality working; • Jobs and Skills. <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>

POST	AREA OF RESPONSIBILITY
Executive Member for Children's Services ¹	<p>To have overall political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • functions of the authority in its role as children's services authority (including arrangements to promote co-operation to improve the well-being of children); • social services functions so far as they relate to children (and young people leaving care); • health services – functions exercisable on behalf of an NHS body so far as they relate to children; • functions of the authority as LEA; • services relating to information, advice and guidance under the Learning and Skills Act 2000; • Operational responsibilities for the Youth Offending Service so far as they relate to the local authority. <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>
Executive Member Adult Health and Social Care	<p>To have political oversight for the following principal areas of Council activity:</p> <ul style="list-style-type: none"> • the provision of adult health and social care services; • public health. <p>To represent the Council on key inter-sector and inter-authority partnerships.</p>

¹ The Executive Member for Children's Services is the Lead Member for Children's Services appointed in accordance with the Section 19 of the Children Act 2004 and must therefore have responsibility for the functions conferred on or exercisable by the authority specified in S18(1)(a) and (b) of the Children Act 2004 and such other functions as the authority consider appropriate.

SECTION 3B (c): SUPPORT TO EXECUTIVE MEMBERS

Roles and responsibilities of Deputy Executive Members

The following Members are appointed as Deputy Executive Members, to assist the Executive Member for Children's Services in relation to the functions identified. This may be by discharging any of the roles and responsibilities of a Support Executive Member set out below, or otherwise¹.

Member	Functions
Cllr Ted Hanley	Social service functions, so far as these functions relate to children, or young people leaving care.
Cllr Jane Dowson	The authority's role as local education authority and the provision of services so far as they relate to information, advice and guidance under the Learning and Skills Act 2000.

Role and Responsibilities of Support Executive Members

The following Members are appointed as Support Executive Members. They shall discharge the roles and responsibilities set out below at the request of any Executive Member:

1. To commission research in order to provide the Executive Member with timely and accurate information
2. To provide, where requested, regular reports and updates to the Executive Member and advise on policy decisions
3. To monitor the performance of services within their remit
4. To deputise for the Executive Member at meetings²
5. To act as spokesperson or representative for an Executive Member where required
6. To consult with interested parties, ward councillors and citizens as part of the development and review of policy
7. To act as an advocate for the Council within the authority and outside.
8. To brief the Political Group

Cllr Kim Groves	Cllr James McKenna
Cllr Josephine Jarosz	Cllr Gerry Harper
Cllr Thomas Murray	Cllr Eileen Taylor
Cllr Jack Dunn	Cllr Bernard Atha
TBC	

¹ This excludes deputising at Executive Board meetings (see Executive Procedure Rule 2.3).

² See footnote 1 above

SECTION 3C: EXECUTIVE COMMITTEE AND ADVISORY COMMITTEE TERMS OF REFERENCE

AREA COMMITTEES

Within each Committee's area:

(Council functions)

1. *to make Elected Member¹ appointments² to Outside Bodies as determined by the Member Management Committee;*
2. *to advise or make representations to the Council, the Executive Board, Scrutiny Boards, Plans Panels or Licensing Committee on all matters affecting community interests;³*
3. *to consider and respond to consultations on planning briefs and frameworks and on major development proposals affecting the Committee's area;⁴*
4. *to consider proposals referred to the Committee by the Council, Executive Board, Scrutiny Boards, Plans Panels or Licensing Committee and to report back the Committee's views to the referring body;⁵*
5. *to receive and hear deputations; and*
6. *to consider the performance, targeting, frequency and co-ordination of services and make recommendations to the Executive Board as appropriate⁶;*

(Executive functions)⁷

7. *to promote and improve the economic, social and environmental well-being of the Committee's area⁸; and*
8. *to exercise Area Functions;⁹*

¹ Including the appointment of a suitable nominee as set out in the Appointments to Outside Bodies Procedure Rules

² In accordance with the Appointments to Outside Bodies Procedure Rules in Part 4 of the Constitution.

³ This is an advisory function under Section 102(4) Local Government Act 1972.

⁴ This is an advisory function under Section 102(4) Local Government Act 1972.

⁵ This is an advisory function under Section 102(4) Local Government Act 1972.

⁶ This is an advisory function under Section 102(4) Local Government Act 1972.

⁷ All executive functions will be exercisable concurrently with the Executive Board.

⁸ In accordance with Section 2 of the Local Government Act 2000, and in furtherance of, and subject to the limitations set out in the Well-being Schedule detailed in Part 3 Section 3D of the Constitution as determined from time to time by the Executive Board.

⁹ As determined from time to time by the Executive Board and in furtherance of, and subject to the limitations set out in the Area Function Schedule(s) detailed in Part 3 Section 3D of the Constitution and the Area Committee Procedure Rules in Part 4 of the Constitution.

ACCESS TO INFORMATION APPEALS COMMITTEE

To determine appeals under Access to Information Procedure Rule 25.3 and Rule 25.2.8.

ADVISORY COMMITTEE TO THE EXECUTIVE

DEVELOPMENT PLAN PANEL

An advisory committee¹⁰ authorised to make recommendations regarding:

1. the Local Authority's Unitary Development Plan; and
2. the Local Development Framework

In particular

To advise the Council in relation to functions which are¹¹

- *specified as being non executive functions or*
- *being local choice functions, are reserved to the Council; and*

To advise the Executive in relation to functions which are²²

- specified as being executive functions; or
- being local choice functions, are not reserved to the Council; or
- are functions which are not specified as being either non executive functions or local choice functions and by default are executive functions.

¹⁰ Appointed by the Council in accordance with Section 102 (4) of the Local Government Act 1972.

¹¹ In accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as from time to time amended.

SECTION 3D: AREA COMMITTEE FUNCTION SCHEDULES

Well-Being Schedule	
Function	
To promote and improve the economic, social and environmental well-being of the Committee's area.	To take decisions about, and monitor activity relating to the use of the annual capital and revenue allocation to each Committee.

Area Functions Schedule	
Function	
Community Centres	<p>In relation to each community centre identified by the Director of Environment and Neighbourhoods as within the Committee's area, to:</p> <ul style="list-style-type: none"> • oversee controllable revenue budgets, operational arrangements and the use of the centres; • agree and implement a schedule of charges and discounts for directly managed centres; • make asset management and investment proposals to ensure the portfolio is sustainable and meets local needs.
CCTV	To maintain an overview of the service in the Committee's area and receive regular information about it.
Neighbourhood Management Co-ordination	<p>In relation to the Committee's area:</p> <ul style="list-style-type: none"> • to agree priority neighbourhoods (through the approval of the Area Delivery Plan); and • to agree and monitor Neighbourhood Improvement Plans for the Committee's area.
<p>Street cleansing & Environmental Enforcement Services:</p> <ul style="list-style-type: none"> • Litter bin emptying • litter picking and associated works • Street sweeping and associated 	To develop and approve annual Service Level Agreements to achieve as a minimum, the service standards set by Executive Board. Via the Service Level Agreement, to determine the principles of deployment of the available resources

<p>works</p> <ul style="list-style-type: none">• Leaf clearing• Dog Controls (fouling, straying, dogs on leads, dog exclusions)• Fly tipping enforcement• Enforcement of domestic & commercial waste issues• Litter-related enforcement work• Enforcement on abandoned & nuisance vehicles• Overgrown vegetation• Highways enforcement (placards on streets, A boards, cleanliness)• Graffiti enforcement work• Proactive local environmental promotions.	<p>by:</p> <ul style="list-style-type: none">• the identification of priorities for service delivery annually (both geographical and in terms of types of services delivered)• The agreement of the most appropriate approaches to be taken to achieve local environmental cleanliness and quality. <p>To be responsible for monitoring and reviewing the delegated activities in relation to the service outcomes specified in the SLA.</p> <p>To be responsible for negotiating amendments to the SLA with service providers to accommodate unforeseen events or patterns of service failure, during the course of the SLA.</p>
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SECTION 3E: OFFICER DELEGATION SCHEME (EXECUTIVE FUNCTIONS)

1. General roles and responsibilities of Members and Officers

- (a) Members set policy priorities and strategies to reflect local interests and needs and are also responsible for allocating funding between individual priority areas. The Chief Executive, Deputy Chief Executive, Assistant Chief Executive (Planning Policy and Improvement), City Solicitor, Directors and their staff implement these strategies and policies by delivering services and major initiatives. It is officers therefore, who have responsibility for managing the Council's day to day operations, within a policy and budgetary framework laid down by Members.
- (b) Under the executive arrangements, both full Council and the Executive have specific functions and these can be delegated to committees or officers. Where Council or the Executive have established a committee to discharge their respective functions then subject to any limitations imposed by the Council/Executive respectively, that committee can also delegate its functions to an officer. The functions delegated to officers by the executive are set out in this Officer Delegation Scheme. The functions delegated to officers in relation to Council functions are set out in Section 2 of Part 3 of the Constitution.
- (c) The fact that a function stands delegated to an officer under these arrangements shall not preclude the Executive, from exercising the function directly.
- (d) An officer may consider that a delegated authority should not be exercised and that it should be referred to the Executive for determination.
- (e) An appropriate Executive Member may request that an officer refrains from exercising a delegated authority in respect of a particular matter and refer it instead to the Executive, for a decision.
- (f) The Executive may determine to reserve decisions about particular matters to itself.
- (g) In addition to the delegations set out in this scheme, the Executive can arrange for further delegations on specific matters.
- (h) Whilst the exercise of a function by an officer under these arrangements is not made subject to the satisfaction of any prior condition, an officer shall, when exercising a discretion remitted to him/her, be under a duty to satisfy himself/herself that the decision conforms to the Council's Budget and Policy Framework and other approved policies and that, in reaching the decision, he/she has

Officer Delegation Scheme (Executive Functions)

observed approved practices and procedures, including those in relation to community consultation.

- (i) The fact that a function has been delegated to an officer under this scheme does not require that officer to give the matter his/her personal attention. The officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the officer specified under this scheme will remain responsible for any decision taken pursuant to such arrangements.

PUBLIC PRIVATE PARTNERSHIP / PRIVATE FINANCE INITIATIVE AND OTHER MAJOR PROPERTY AND INFRASTRUCTURE RELATED PROJECTS

Directors¹ are authorised to carry into effect without reference to Executive Board or to any of its committees the following functions in relation to

- a PPP/PFI Project;
- an individual phase or New Project under the Building Schools for the Future programme² (BSF);
- Lease Plus Agreements or other agreements under LIFT³;
- any other Major Project (as defined by the Delivering Successful Change Project Impact Assessment Scorecard), which are related to property or infrastructure;

(in each case 'Project')

General Project delegations to officers

Directors are authorised:

1. To approve Project mandate, Project Brief and Project Initiation Document
2. Following a decision by Executive Board (or otherwise in accordance with this Officer Delegation Scheme) approving procurement of a Project:⁴
 - i) to approve all Project specific issues, including any necessary survey arrangements, relating to procurement (except for contract award) provided that the approval of the publication of the OJEU notice,

¹ Directors shall be understood to include all of the officers listed in Article 12. However, chief officers listed in Article 12 with concurrent delegations must consult their relevant Director before taking any key or major decision in relation to a Project.

² In relation to schools Projects under the Building Schools for the Future programme the relevant Director is the Director of Children's Services

³ In relation to LIFT the relevant Director is the Director of Environment and Neighbourhoods

⁴ (by approval of an Expression of Interest, of an Outline Business Case, through inclusion within the Capital Programme, of an Authority to Spend, within the budget and policy framework, or otherwise),

Officer Delegation Scheme (Executive Functions)

- decisions to select/reduce numbers of bidders, and early works shall be subject to prior review by the relevant Project Board⁵⁶
- ii) to approve all Project specific issues following completion of the procurement relating to mobilisation, construction and operation (including without limitation changes and variations, refinancing and benchmarking/market testing); and
 - iii) to act as or appoint City Council Representative(s) within the terms of the Project documentation.
3. Subject to
- a) approval by the relevant Government Department or other relevant body of the Final Business case for the Project (if applicable); and
 - b) the Director being satisfied that the Project remains within scope and affordability limits approved by Executive Board:
- i) to approve the terms of all Project related contractual, property and other documentation; and
 - ii) to make arrangements for and approve any delegations necessary to effect commercial & financial close including any amendments to such documentation at commercial & financial close.
4. Where approval is (in the opinion of the Director) required urgently before the next scheduled meeting of the Executive Board, and subject
- a) to prior review by Strategic Investment Board⁷; and
 - b) the Director reporting to the next appropriate Executive Board the action taken:
- i) to approve the Strategy for Change (BSF) or Strategic Service Development Plan (LIFT);
 - ii) to approve submission of an Expression of Interest or Outline Business Case for a Project; and
 - iii) to approve submission of the Final Business Case for the Project.
5. In cases where the relevant Government Department requires submission of a Final Business Case for a Project before appointment of a preferred bidder
- a) provided that the Director is satisfied that the scope and affordability of the Project remains within previous approvals by Executive Board; and
 - b) subject to prior review by Strategic Investment Board⁷⁷ and consultation with the Director of Resources:

to approve the content and submission of a pre-preferred bidder Final

⁵ If Project Board supports the decision it may be implemented. If Project Board does not support the decision but the Director still wants to proceed the Director must take a further report to that Project Board. Following the second review the Director may proceed to implement the decision even if Project Board do not support it

⁶ The Director shall record in the delegated decision notification the date of and outcome of review by Project Board

⁷ The Director shall record in the delegated decision notification and in the subsequent report to Executive Board the date of and outcome of review by the Strategic Investment Board

Officer Delegation Scheme (Executive Functions)

Business Case

6. In relation to BSF and LIFT, to approve all matters within the terms of the Strategic Partnering Agreement including representation on Strategic Partnering Board
7. To approve any other matters of day to day management and administration

Specific Project delegations to officers

In addition the following Directors are authorised to carry out the specific functions in relation to Projects listed at paragraphs 8 to 11 below

8. Director of Resources

- i) To sign certificates under the Local Government (Contracts) Act 1997 in relation to Projects, subject to the approval of the City Solicitor;
- ii) The procurement and appointment of financial advisors under a contract covering Projects sponsored by more than one Directorate;
- iii) In relation to the Local Education Partnership and LIFTco all shareholder functions except for a decision to subscribe for shares or provide shareholder loans, whether at a LEP/LIFTCo level or project company level;
- iv) To approve changes to the chair, remit, structure and composition of Project Boards as required;
- v) To approve arrangements for forming Project Boards for new projects and closing down Project Boards.

9. City Solicitor

- i) To issue appropriate (in the opinion of the City Solicitor) indemnities to Directors where a Director
 - a) signs a certificate under the Local Government (Contracts) Act 1997;
 - b) acts as director to the LEP or LIFTco.
- ii) To approve the procurement and appointment of legal advisors under a contract covering Projects sponsored by more than one Directorate.

10. Director of City Development

- i) To approve the procurement and appointment of technical advisors under a contract covering Projects sponsored by more than one Directorate.

11. Director of Children's Services

- i) To award a Design and Build Contract under BSF (where the Director is satisfied that the Project remains within affordability and other tolerances agreed by Executive Board)

GENERAL DELEGATIONS TO OFFICERS

The Chief Executive, the Deputy Chief Executive, Assistant Chief Executive (Planning Policy and Improvement), Directors and other named officers⁸ are authorised to carry into effect without reference to the Executive Board or to any of its committees, matters of day to day management and administration and, in particular, the following functions:

FINANCIAL

1. Revenue Expenditure

- (a) Following approval of departmental revenue budgets, to incur expenditure within those estimates with the exception of items being subject to separate release in accordance with Appendix B to Financial Procedure Rules. They must consult with any Director or other officer who may be able to provide the works or service required or who may otherwise advise on or assist with this provision to ascertain whether that Director or other officer would wish to submit a tender or quotation or undertake the works/services competition free, in accordance with Contracts Procedure Rules.
- (b) To incur expenditure within the Revenue Budget in accordance with the virement procedures and delegated limits set out in Financial Procedure Rules.
- (c) In an emergency to incur immediately necessary expenditure which shall be reported to the Director of Resources at the first opportunity.

2. Capital Expenditure

- (a) To incur expenditure on capital schemes in accordance with the arrangements set out in Financial Procedure Rules.

⁸ These are all other officers listed in Article 12. The concurrent delegations to chief officers under this scheme are 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 for consideration. Chief officers must consult the relevant Director before taking any key or major decision when exercising a concurrent delegation.

Officer Delegation Scheme (Executive Functions)

- (b) To accept tenders for construction works in accordance with the Contracts Procedure Rules.

3. Debts

To write off debts (other than local taxation) in accordance with the procedures and maximum values set out in Financial Procedure Rules.

4. Disposal of Property

To dispose of property (including obsolete vehicles and plant, stores, old materials and scrap), other than property for resale, in accordance with the requirements of Financial Procedure Rules and Contracts Procedure Rules.

5. Payments

To approve payments to suppliers prior to the receipt of goods⁹ in accordance with the limits set out in Financial Procedure Rules.

6. Cash Imprests and Disbursements

- (a) To authorise individual establishment cash imprests in accordance with the limits set out in Financial Procedure Rules.
- (b) To approve individual payments from cash imprests in excess of the limit set out in Financial Procedure Rules.

7. Stores Deficiencies and Surpluses

To authorise the making good or otherwise of stores deficiencies up to the limit specified in Financial Procedure Rules.

GENERAL

8. Lost Property

To take responsibility, as identified in the Financial Procedure Rules for lost property found on Council premises, including the registration of found items and the designation of a responsible officer to follow the found property procedures.

9. Data Protection, Human Rights, Surveillance Activities, Freedom of Information

⁹ In exceptional circumstances – Financial Procedure Rule 9.6

Officer Delegation Scheme (Executive Functions)

- (a) To implement and ensure compliance with:
 - the rules on data protection, human rights, surveillance activities, and freedom of information¹⁰;
 - the Council's policies on these matters; and
 - guidance and advice from the City Solicitor on these matters.
- (b) To designate officers with specific responsibilities for these matters.
- (c) To advise the City Solicitor of any new types of data processed, of new ways of processing personal data and of any new persons or organisations to whom data is given.

10. Media

To issue statements to the press and other news media about their delegated functions within the settled framework of Council policy.

11. Authorising Officers

To authorise officers possessing such qualifications as may be required by law or in accordance with the Council's policy, to take samples, carry out inspection, enter premises and generally perform the functions of a duly authorised officer of the Council (however described) and to issue any necessary certificates of authority.

12. Corporate Procedures

To take any action remitted to him/her under corporate procedures.¹¹

13. Local Choice Functions (see Section 1, Part 3 of the Constitution)

- (a) Functions under a local act, unless otherwise specified in Regulation 2 or Schedule 1 of the Local Authorities (Functions and Responsibilities) Regulations 2000.
- (b) To obtain particulars of persons interested in land.

14. Signature of Contracts - Local Government (Contracts) Act 1997

- (a) Subject to the approval of the City Solicitor, to sign certificates for contracts which relate specifically to their delegated functions.

¹⁰ Contained within the following: Data Protection Act 1998, Human Rights Act 1998, Freedom of Information Act 2000 and the Regulation of Investigatory Powers Act 2000 and subsidiary legislation

¹¹ Where, under approved procedures, a function stands remitted to a committee or sub-committee or officer post that has not been re-established, the Chief Executive shall be authorised to determine by whom that function shall be discharged pending the review of such procedures.

15. Budget and Policy Framework

To canvas the views of local stakeholders, formulate and publish initial proposals within the budget and policy framework.

PERSONNEL

16. Miscellaneous Employment Issues

To deal with employment issues in accordance with agreed procedures and the relevant national conditions of service as modified or extended by any local or national agreements.

17. Changes to Staffing Structures

- (a) Decisions can be taken in relation to restructures except where the decision:
 - (i) involves changes to existing National or Local Agreements and policies; and/or
 - (ii) cannot be achieved within delegated powers in respect of budgets
- (b) Decisions are subject to:
 - (i) appropriate professional advice being sought;
 - (ii) prior consultation with all appropriate parties affected by the decision, including all officially recognised trade unions; and
 - (iii) appropriate consideration of pay and grading requirements.
- (c) Decisions in respect of restructures which involve changes to existing agreements or policies (as referred to in 17 (a) (i) above) and/or which have budgetary implications as set out in 17 (a) (ii) above are delegated to the Director of Resources and will be subject to consultation with the City Solicitor and other appropriate parties.
- (d) Proposals which involve additional Council expenditure outside officer delegations or which involve issues outside existing Council policy will be referred to the Council or appropriate committee.

18. Trade Union Facilities Scheme - Time off for duties as an Elected National Union Officer

The Director of Resources is authorised to deal with this as a corporate not a departmental issue.

The Chief Executive

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration², the Chief Executive³ is authorised to discharge any function⁴ of the Executive not otherwise delegated to a Director⁵, including elections, and civic and ceremonial functions of the Council.

¹ An “appropriate Executive Member” is the Leader or other appropriate portfolio-holding Member of the Executive Board.

² The Chief Executive may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration.

³ The fact that a function has been delegated to the Chief Executive does not require the Chief Executive to give the matter his/her personal attention and he/she may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Chief Executive remains responsible for any decision taken pursuant to such arrangements.

⁴ “Function” for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Executive as “proper officer” for the purpose of any function delegated to him/her under these arrangements.

⁵ “Director” for this purpose includes the Deputy Chief Executive, the Assistant Chief Executive, Directors and all other officers listed in Article 12 .

Assistant Chief Executive (Planning, Policy and Improvement)

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration², the Assistant Chief Executive (Planning Policy and Improvement)³ is authorised to discharge any function⁴ of the Executive in relation to:

- (a) corporate planning and policy development;
- (b) corporate equality and diversity activities;
- (c) performance management;
- (d) service improvement and transformation;
- (e) international and external relations;
- (f) communications strategy and policy;
- (g) press and media relations;
- (h) knowledge and information management;
- (i) customer services and the promotion of welfare rights;
- (j) the Leeds Initiative and related partnership activity; and
- (k) the management and oversight of area based working arrangements.

¹ An “appropriate Executive Member“ is the Leader or other appropriate portfolio-holding Member of the Executive Board.

² The Assistant Chief Executive may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration by the Executive Board.

³ The fact that a function has been delegated to the Assistant Chief Executive does not require the Assistant Chief Executive to give the matter his/her personal attention and he/she may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Assistant Chief Executive remains responsible for any decision taken pursuant to such arrangements.

⁴ “Function” for these purposes is to be construed in a broad and inclusive fashion, and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Assistant Chief Executive as “proper officer” for the purpose of any function delegated to him/her under these arrangements.

Chief Officer (Customer Services)

With the exception of those matters where

- (i) an appropriate Executive Member¹ or the Assistant Chief Executive (Planning, Policy and Improvement) has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration²; or
- (ii) the Assistant Chief Executive (Planning, Policy and Improvement) has directed that the delegated authority should not be exercised and that the matter be referred to him/her for consideration;

the Chief Officer (Customer Services)³ is authorised⁴ to discharge any function⁵ of the Executive in relation to customer services and the promotion of welfare rights.

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board.

² The Chief Officer (Customer Services) may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration by the Executive Board.

³ The fact that a function has been delegated to the Chief Officer does not require the Chief Officer to give the matter his/her personal attention and he/she may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Chief Officer remains responsible for any decision taken pursuant to such arrangements.

⁴ The Chief Officer must consult the Assistant Chief Executive (Planning, Policy and Improvement) before taking any key or major decision

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion, and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Officer as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

The Director Of Adult Social Services¹

With the exception of those matters where an appropriate Executive Member², has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration,³ the Director of Adult Social Services⁴ is authorised to discharge any function⁵ of the Executive in relation to:

- (a) social services so far as those functions relate to adults⁶;
- (b) functions exercisable on behalf of an NHS body⁷, so far as those functions relate to adults⁸;
- (c) arrangements to protect and promote the welfare of vulnerable adults⁹, including vulnerable young people moving into adulthood.

¹ Appointed under Section 6 Local Authority Social Services Act 1970

² An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

³ The Director of Adult Social Services may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

⁴ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for the delegate authority to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director of Adult Social Services as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁶ That is, do not relate to:

(i) children or

(ii) young people leaving care under sections 23C and 24D of the Children Act 1989, so far as not falling within (i).

⁷ Under Section 75 of the National Health Service Act 2006

⁸ See footnote 6 above

⁹ So far as not falling within (a) above. See also footnote 6 above

The Director Of Children's Services¹

With the exception of those matters where an appropriate Executive Member² has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration³, the Director of Children's Services⁴ is authorised to discharge any function⁵ of the Executive in relation to:

- (a) the authority's role as children's services authority⁶;
- (b) social services, so far as those functions relate to
 - (i) children or
 - (ii) young people leaving care⁷;
- (c) functions exercisable on behalf of an NHS body⁸, so far as they relate to children;
- (d) the authority's role as local education authority⁹;
- (e) provision of services so far as they relate to information, advice and guidance under the Learning and Skills Act 2000;
- (f) operational responsibilities for the Youth Offending Service so far as they relate to the local authority; and
- (g) specified functions in relation to the Building Hope – Leeds/Sri Lanka Tsunami Appeal charity¹⁰.

¹ Appointed under Section 18 Children Act 2004

² An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

³ The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

⁴ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for the delegated authority to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁶ Including functions in relation to:

- arrangements to promote co-operation to improve well-being of children;
- arrangements to safeguard and promote welfare of children;
- information data-bases;
- the Local Safeguarding Children Board.

⁷ Under sections 23C and 24D of the Children Act 1989, so far as not falling within (i).

⁸ Under Section 75 of the National Health Service Act 2006

⁹ Including:-

- early years development, childcare planning, and youth services, and
- vocational training and allied services where they relate to children of compulsory school age.

¹⁰ In accordance with the resolution of the Executive Board 6 July 2005

The Director Of City Development

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration² and with the exception of those matters reserved to the Executive Board³, the Director of City Development⁴ is authorised to discharge the following functions⁵:

1. Local choice functions which have been assigned to the Executive (see Section 1 of Part 3 of the Constitution):
 - (a) any function related to contaminated land;
 - (b) obtaining of information as to interests in land; and
 - (c) the making of agreements for the execution of highways works under S278 Highways Act 1980.

2. Any function of the Executive⁶ in relation to:
 - (a) the management of land (including valuation, acquisition, appropriation, disposal and other dealings with land or any interest in land);
 - (b) the operation of retail and wholesale markets and car boot sales;
 - (c) the promotion of economic development and economic led regeneration;
 - (d) the management of the city centre (including the promotion of the city centre and management of public spaces);
 - (e) building control (whether under the Building Act 1984 or otherwise);

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board.

² The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

³ Certain disposals of land are currently required to be referred to an appropriate committee for consideration.

⁴ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁶ The Director of City Development will be mindful of the potential for conflicts of interest arising and will make appropriate arrangements in this respect.

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- (f) the authority's role as highways authority and road traffic authority except in relation to parking enforcement;
- (g) safety at sports grounds;
- (h) flood and water management;
- (i) design services;
- (j) asset management;
- (k) street naming and numbering;
- (l) environmental management and the formulation and implementation of environmental improvement programmes;
- (m) tourism and promotions;
- (n) cultural services (including the arts, libraries, record repositories, museums and art galleries, public entertainments, halls and venues);
- (o) recreation services (including parks, countryside and sports facilities);
- (p) cemeteries, crematoria, burial grounds and mortuaries; and
- (q) countryside management (including all matters relating to the provision and maintenance of footpaths and bridleways), and the provision and maintenance of landscaping schemes.

The Chief Economic Development Officer

With the exception of those matters where

- (i) an appropriate Executive Member¹ or the Director of City Development has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration²; or
- (ii) the Director of City Development has directed that the delegated authority should not be exercised and that the matter should be referred to him/her for consideration,

the Chief Economic Development Officer³ is authorised⁴ to discharge the following functions⁵:

Any function of the Executive⁶ in relation to:

- (a) the operation of retail and wholesale markets and car boot sales;
- (b) the promotion of economic development and economic led regeneration;
- (c) the management of the city centre (including the promotion of the city centre and management of public spaces); and
- (d) tourism and promotions.

¹ An “appropriate Executive Member” is the Leader or other appropriate portfolio-holding Member of the Executive Board.

² The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

³ The fact that a function has been delegated to the Chief Economic Development Officer does not require the Chief Economic Development Officer to give the matter his/her personal attention and the Chief Economic Development Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Economic Development Officer remains responsible for any decision taken pursuant to such arrangements.

⁴ The Chief Officer must consult the Director of City Development before taking any key or major decision.

⁵ “Function” for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Economic Development Officer as “proper officer” for the purpose of any function delegated to him/her under these arrangements.

⁶ The Chief Economic Development Officer will be mindful of the potential for conflicts of interest arising and will make appropriate arrangements in this respect

Chief Officer Highways And Transportation

With the exception of those matters where

- (i) an appropriate Executive Member¹ or the Director of City Development has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration²; or
- (ii) the Director of City Development has directed that the delegated authority should not be exercised and that the matter be referred to him/her for consideration

the Chief Officer Highways and Transportation ³ is authorised⁴ to discharge any function⁵ of the Executive in relation to:

1. The following local choice function which has been assigned to the Executive (see Section 1 of Part 3 of the Constitution): to make agreements for the execution of highways works under Section 278 Highways Act 1980; and
2. Any function of the Executive in relation to:
 - (a) the authority's role as highways authority and road traffic authority, except in relation to parking enforcement, and
 - (b) flood and water management.

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

² The Chief Officer may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board or to the Director of City Development.

³ The fact that a function has been delegated to the Chief Officer does not require the Chief Officer to give the matter his/her personal attention and the Chief Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Officer remains responsible for any decision taken pursuant to such arrangements.

⁴ The Chief Officer must consult the Director of City Development before taking any key or major decision.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Officer as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

Chief Libraries Arts And Heritage Officer

With the exception of those matters where

- (i) an appropriate Executive Member¹ or the Director of City Development has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration²; or
- (ii) the Director of City Development has directed that the delegated authority should not be exercised and that the matter be referred to him/her for consideration,

the Chief Libraries, Arts and Heritage Officer³ is authorised⁴ to discharge any function⁵ of the Executive in relation to cultural services (including the arts, libraries, record repositories, museums and art galleries, public entertainments, halls and venues).

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board.

² The Chief Officer may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board.

³ The fact that a function has been delegated to the Chief Officer does not require the Chief Officer to give the matter his/her personal attention and the Chief Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁴ The Chief Officer must consult the Director of City Development before taking any key or major decision.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

Chief Planning Officer

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration² the Chief Planning Officer³ is authorised to discharge any function⁴ of the Executive:

- (a) in relation to the authority's role as local planning authority⁵;

With the exception of those matters where

- (i) an appropriate Executive Member⁶ or the Director of City Development has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration⁷; or
- (ii) the Director of City Development has directed that the delegated authority should not be exercised and that the matter be referred to him/her for consideration,

the Chief Planning Officer⁸ is authorised⁹ to discharge any function¹⁰ of the Executive in relation to:

- (b) building control (whether under the Building Act 1984 or otherwise);
- (c) safety at sports grounds; and
- (d) street naming and numbering.

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board.

² The Chief Officer may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board

³ The fact that a function has been delegated to the Chief Planning Officer does not require the Chief Planning Officer to give the matter his/her personal attention and the Chief Planning Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁴ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁵ Save where any such functions are exercisable by a Plans Panel, the discharge of all **Council functions** relating to town and country planning and development control has been delegated to the Chief Planning Officer. No such **Council functions** will be exercisable by the Director of City Development

⁶ See footnote 1 above

⁷ See footnote 2 above

⁸ See footnote 3 above

⁹ The Chief Officer must consult the Director of City Development before taking any key or major decision in relation to functions (b) to (c).

¹⁰ See footnote 4 above

The Director Of Environment And Neighbourhoods

With the exception of those matters where an appropriate Executive Member¹, has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board, for consideration², the Director of Environment and Neighbourhoods³ is authorised to discharge the following functions⁴:

1. Local choice functions which have been assigned to the Executive (see Section 1 of Part 3 of the Constitution):
 - (a) the service of an abatement notice in respect of a statutory nuisance;
 - (b) the passing of a resolution that schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area;
 - (c) the inspection of the authority's area to detect any statutory nuisance;
 - (d) the investigation of any complaint as to the existence of a statutory nuisance; and
 - (e) the control of pollution or management of air quality.
2. Any function of the Executive in relation to
 - (a) the authority's role as housing authority⁶ excluding those functions which the authority has agreed, with the approval of the Secretary of State, that another person should exercise as agent of the authority⁷;
 - (b) the condition and occupation of housing;
 - (c) caravan sites and land occupied by travelling people;
 - (d) area based housing led regeneration;

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

² The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

³ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁴ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁶ Including functions relating to Supporting People

⁷ These agreements have been made in accordance with Section 27 Housing Act 1985 - see further addendum 1

Officer Delegation Scheme (Executive Functions)

- (e) community planning and community initiatives;
- (f) community safety and the reduction of crime and disorder (including the management of closed circuit TV);
- (g) vocational training and allied services for persons over compulsory school age, and the promotion of arrangements to assist persons to obtain employment and employers to obtain employees.
- (h) environmental and consumer protection, health and safety other than in relation to Council employees, public health (including the investigation and control of notifiable diseases);
- (i) animal welfare;
- (j) development and implementation of municipal waste policy; and
- (k) streetscene management and related enforcement functions, including parking enforcement, street and gully cleansing, refuse collection, grounds maintenance, waste management, public conveniences, graffiti removal, fly-tipping and dog warden services.

Chief Environmental Services Officer

With the exception of those matters where

- (i) an appropriate Executive Member¹ or the Director of Environment and Neighbourhoods has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration²; or
- (ii) the Director of Environment and Neighbourhoods has directed that the delegated authority should not be exercised and that the matter be referred to him/her for consideration

the Chief Officer (Environmental Services)³ is authorised⁴ to discharge the following functions⁵:

1. Local choice functions which have been assigned to the Executive (see Section 1 of Part 3 of the Constitution):
 - (a) the service of an abatement notice in respect of a statutory nuisance;
 - (b) the passing of a resolution that schedule 2 of the Noise and Statutory Nuisance Act 1993 should apply in the authority's area;
 - (c) the inspection of the authority's area to detect any statutory nuisance;
 - (d) the investigation of any complaint as to the existence of a statutory nuisance; and
 - (e) the control of pollution or management of air quality.
2. Any function of the Executive in relation to:
 - (a) the condition and occupation of private⁶ housing;
 - (b) caravan sites;

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

² The Chief Officer may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the Executive Board or to the Director of Environment and Neighbourhoods

³ The fact that a function has been delegated to the Chief Officer does not require the Chief Officer to give the matter his/her personal attention and the Chief Officer may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Chief Officer remains responsible for any decision taken pursuant to such arrangements.

⁴ The Chief Officer must consult the Director of Environment and Neighbourhoods before taking any key or major decisions.

⁵ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Chief Officer as "proper officer" for the purpose of any function delegated to him/her under these arrangements.

⁶ That is, housing which is not owned by the council.

Officer Delegation Scheme (Executive Functions)

- (c) environmental and consumer protection, health and safety other than in relation to Council employees, public health (including the investigation and control of notifiable diseases);
- (d) animal welfare; and
- (e) streetscene management and related enforcement functions, including parking enforcement, street and gully cleansing, refuse collection, grounds maintenance, waste management, public conveniences, graffiti removal, fly-tipping and dog warden services.

The Director Of Resources

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration², the Director of Resources³ is authorised to discharge any function⁴ of the Executive in relation to:

- (a) making arrangements for the proper administration of the authority's financial affairs⁵;
- (b) the provision of financial services⁶, including treasury management⁷, capital programme, benefits administration, taxation arrangements, revenue collection of council tax and national non-domestic rates, student support, internal audit, creditor payments, debt recovery, pensions and the council's insurance arrangements;
- (c) industrial relations and employment matters, including employee training and health and safety;
- (d) the management of corporate governance;
- (e) risk management;
- (f) civil defence and emergency planning;
- (g) licensing and other related functions⁸, and enforcement;
- (h) the management of matters relating to the application of information, communication and associated technologies to support the discharge of any function of the Executive;

¹ An "appropriate Executive Member" is the Leader or other appropriate portfolio-holding Member of the Executive Board

² The Director may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

³ The fact that a function has been delegated to the Director does not require the Director to give the matter his/her personal attention and the Director may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the Director remains responsible for any decision taken pursuant to such arrangements.

⁴ "Function" for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the Director as "proper officer" for the purpose of any function delegated to him/her under these arrangements

⁵ The Director of Resources has responsibility for these arrangements as Section 151 Officer

⁶ "financial services" includes the management, monitoring and control of the capital programme; and subject to resources the transfer of schemes from the reserved programme to the funded programme or from the funded programme to the reserved programme.

⁷ "treasury management" includes the making, payment and borrowing of loans.

⁸ These functions were delegated to the Licensing Committee by full Council on 14 July 2010

Officer Delegation Scheme (Executive Functions)

- (i) the provision of services relating to building maintenance, catering, cleaning, transport (including fleet services and passenger transport services), and school crossing patrols;
- (j) procurement and purchasing;
- (k) civic and community buildings⁹, accommodation and facilities management¹⁰;
- (l) the registration of births, deaths, marriages and civil partnerships;
- (m) the management of matters relating to Members, the Lord Mayor, committees and scrutiny support; and
- (n) parish councils.

⁹ That is, all council properties, except schools and Housing Revenue Account properties.

¹⁰ "facilities management" includes the purchasing of energy under the terms of an energy supply contract. and for this purpose includes the purchasing of energy for schools. The Director of Resources will consult with the appropriate Executive Member in this regard.

The City Solicitor

With the exception of those matters where an appropriate Executive Member¹ has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive Board for consideration², the City Solicitor³ is authorised to:

- (a) act as Solicitor to the Council and to take any action intended to give effect to a decision of the Executive or an officer, including the commencement, defence, withdrawal or settlement of proceedings, and the authorisation of Council officers to conduct legal matters in court;
- (b) discharge any function⁴ of the Executive in relation to:
 - (i) land charges; and
 - (ii) data protection, human rights, freedom of information and the regulation of surveillance activities.

¹ An “appropriate Executive Member” is the Leader or other appropriate portfolio-holding Member of the Executive Board

² The City Solicitor may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred to the Executive Board for consideration

³ The fact that a function has been delegated to the City Solicitor does not require the City Solicitor to give the matter his/her personal attention and the City Solicitor may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However the City Solicitor remains responsible for any decision taken pursuant to such arrangements.

⁴ “Function” for these purposes is to be construed in a broad and inclusive fashion and includes the doing of anything which is calculated to facilitate or is conducive or incidental to the discharge of any of the specified functions. The delegation also includes the appointment of the City Solicitor as “proper officer” for the purpose of any function delegated to him/her under these arrangements. Note, however, for purposes of data protection, human rights, freedom of information, and the regulation of surveillance activities “function” is limited to preparing policies and strategies for approval, guidance and advice, notification and dealings with the Information Commissioner generally, and monitoring compliance.

Addendum 1

1. In accordance with Section 27 of the Housing Act 1985 (as amended) and the General Approval for Housing Management Agreements 1994, the authority delegated management and maintenance functions to:

Belle Isle Tenant Management Organisation

The following functions were delegated³:

- the management and maintenance of Council housing, Council garages, land vested in Neighbourhoods and Housing and other assets as agreed with the Council to facilitate the day to day management of Council housing within the Tenant Management Organisation area. This excludes the management of estate shops;
- responsive repairs and maintenance of those assets delegated to the Tenant Management Organisation;
- the repair inspection process;
- the planned and cyclical maintenance of those assets delegated to the Tenant Management Organisation;
- the responsibility to consult with tenants on repairs and improvements to those assets delegated to the Tenant Management Organisation;
- the delivery of energy efficient responses to repairs and modernisation that contributes to the Council's Best Value performance responsibility;
- to contribute fully to the regeneration policies of the area within which the Tenant Management Organisation operates;
- management of leasehold self improvements;
- the management of Sheltered Housing schemes excluding the management of the wardens;
- the management of Supported Housing schemes including the staff;
- the responsibility to manage and maintain those premises used as housing offices;
- the management and maintenance and repair of tenant resource centres or meeting rooms within the Tenant Management Organisation area;
- to make best use of housing stock;
- the selection of tenants for vacant properties in accordance with the Council's lettings policy;
- the allocation of new tenancies in accordance with the Council's lettings policy;
- the notification to and signing up of new tenants in accordance with the Council's lettings policy;
- the transferring of tenants in accordance with the Council's lettings policy;
- the management of successions in accordance with the Council's lettings policy;
- the management of Mutual Exchanges in accordance with the Council's lettings policy;
- the collection of rent due and the recovery of current and former tenants arrears along with other charges falling due;
- the processing of the tenants insurance scheme;
- the management of the terms and conditions of tenancies and the enforcement of the same;

³ In respect of properties within the Leeds South Homes Limited in Belle Isle North and Belle Isle South

- the environmental management of housing estates;
- the processing of requests for action to tackle Anti Social Behaviour;
- the development of tenant involvement structures including tenant compacts;
- the provision of information about service delivery, changes to service delivery and performance of service delivery to tenants;
- the letting of contracts in relation to the delegated functions in accordance with the Procurement Protocol;
- the provision of financial management of the revenue budget. The provision of financial and statistical returns as and when directed or requested;
- the provision of reports to tenants about the Tenant Management Organisation;
- the management of employee relations;
- the responsibility to proactively work with the local Area Housing Partnership;
- the preparation of an annual Service Improvement Plan;
- the management of performance in line with the performance management framework; and
- the negotiation of Service Level Agreements in accordance with value for money principles.

Arms' Length Management Organisations

In accordance with the approval of the Secretary of State, the authority delegated⁴ housing management functions as follows to:

East North East Homes Leeds Ltd
Aire Valley Homes Leeds Ltd
West North West Homes Leeds Ltd

General

- The management and maintenance of Council housing, council garages, land vested in Neighbourhoods & Housing Department, , and other assets as agreed with the Council to facilitate the day to day management of Council housing within the ALMO area (in this Annex collectively called "Assets")
- To make best use of housing stock

Asset management and stock condition

- The maintenance of stock condition data on such Assets
- The responsibility to consult with tenants on repairs and improvements to such Assets
- Clearance of such Assets and the responsibility to decant tenants where appropriate
- The delivery of energy efficient responses to repairs and modernisation in relation to such Assets that contributes to the Council's Best Value performance responsibility
- The responsibility to manage and maintain those premises used as housing offices as set out in Annex 9
- The management and maintenance and repair of tenant resource centres or meeting rooms within the ALMO area
- To contribute fully to the regeneration policies of the area within which the ALMO operates
- The responsibility to work proactively with the local Area Housing Partnership

Repairs and maintenance

- The repair and maintenance, whether responsive or major, of such Assets

⁴ By agreements in 05 and 07

Officer Delegation Scheme (Executive Functions)

- The repair inspection process relating to such Assets
- The planned and cyclical maintenance of such Assets
- The modernisation and improvement of such Assets

Environmental

- The environmental management of housing estates

Allocations

- The selection of tenants for vacant properties in accordance with the Council's lettings policy
- The granting of new tenancies in accordance with the Council's lettings policy
- The notification to and signing up of new tenants in accordance with the Council's lettings policy
- Transferring tenants in accordance with the Council's lettings policy
- The management of successions in accordance with the Council's lettings policy
- The management of Mutual Exchanges in accordance with the Council's lettings policy

Income collection

- The collection of rent due and the recovery of current and former tenants arrears along with other charges falling due

Tenants' Insurance

- The processing of the tenants insurance scheme

Tenancy enforcement

- The management of the terms and conditions of tenancies and the enforcement of the same
- The processing of requests for action to tackle Anti Social Behaviour

Sheltered housing

- The management of Sheltered Housing schemes

Supported housing

- The management of Supported Housing schemes including the staff

Leasehold

- Leasehold management within the ALMO area

Information, consultation and involvement

- The provision of information about service delivery, changes to service delivery and performance of service delivery to tenants
- The provision of reports to tenants about the ALMO
- The development of tenant involvement structures including tenant compacts

Financial management

- The provision of financial management, both revenue and capital, to the ALMO
- The provision of financial and statistical returns as and when directed or requested

Procurement

- The letting of contracts in accordance with the terms of this Agreement

Organisation

- The preparation of Business Plans
- The management of performance in line with the Performance Management Framework
- The negotiation of Service Contracts/Service Level Agreements in accordance with value for money principles
- The management of employee relations

SECTION 3F: EXECUTIVE DELEGATIONS TO OTHER AUTHORITIES

Birmingham City Council¹

The Executive of Leeds City Council has delegated functions relating to the investigation and prosecution of matters falling within Part III of the Consumer Credit Act 1974 (illegal money lenders).

Sheffield City Council²

The Executive of Leeds City Council has delegated functions relating to the payment of Home Improvement Loans (or similar new schemes and payments identified by the Director of Environment and Neighbourhoods, in consultation with the Executive Member), approved under the Leeds City Council Private Sector Housing Assistance Policy in accordance with the Regulatory Reform (Housing Assistance) Order 2002.

¹ Resolved by the Executive on 2 September 2008.

² Resolved by the Executive on 30 March 2011

SECTION 4 - JOINT ARRANGEMENTS

The following are arrangements to jointly discharge functions, in accordance with Section 101(5) of the Local Government Act 1972 and Section 20 of the Local Government Act 2000.

Leeds City Regions Leaders' Board

Aims:

To develop an internationally recognised city region;
To raise economic performance;
To spread prosperity across the whole of the city region; and
To promote a better quality of life for all of those who live and work in the city region.

Member Authorities : Barnsley Metropolitan District Council, City of Bradford Metropolitan District Council, Calderdale Council, Craven District Council, Harrogate Borough Council, Kirklees Metropolitan Council, Leeds City Council, North Yorkshire County Council, Selby District Council, City of Wakefield Metropolitan District Council, and City of York Council.

Leeds City Council Membership: the Leader (appointed in accordance with arrangements agreed with the other authorities).

Full membership details, Terms of Reference, functions and rules governing the conduct and proceedings of meetings can be found at :

<http://www.leedscityregion.gov.uk/uploadedFiles/PROCEDURES%20and%20PROTOCOLS%202010-11%20FINAL.pdf>

West Yorkshire Joint Services Committee

Functions:

The discharge of functions with regard to archives and archaeology, grants to voluntary bodies and trading standards and related matters

Member Authorities : City of Bradford Metropolitan District Council, Calderdale Council, Kirklees Metropolitan Council, Leeds City Council, City of Wakefield Metropolitan District Council.

Leeds City Council Membership: 4 Members¹

Full membership details, Terms of Reference, functions and rules governing the conduct and proceedings of meetings can be found at :

<http://www.wyjs.org.uk/downloads/Members-Handbook-2010-2011.pdf>

¹ Of whom at least one shall be an Executive Member (Regulation 12 (1C) of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000) and who shall be appointed by full Council with the agreement of the Executive, and in accordance with the requirements for political balance (Section 15 Local Government and Housing Act 1989)