

GENERAL PRINCIPLES AND PROPOSED METHOD OF DELEGATION

The following general principles were endorsed:

- (i) *the principal role of the Council is to make key decisions as set out in the Constitution relating to the budget, setting the Council Tax and agreeing the policy framework*
- (ii) *the principal role of the policy committees is twofold:*
 - *to make recommendations to Council on those matters in respect of which Council has reserved the decision-making role. This includes adopting a budget and adopting any part of the policy framework*
 - *Making decisions within its delegated powers, as described in the Terms of Reference. Decisions made by the Policy Committees within their Terms of Reference do not need confirming by Council*
- (iii) *Ideally the Council's functions should be delegated to the most appropriate level compatible with efficiency, effectiveness, professional responsibility and risk*
- (iv) *The Delegation Scheme to Officers and Committees needs to be complete with no omissions in relation to the Council's powers. A failure to achieve this would cause unnecessary delay*
- (v) *The Delegation Scheme to Officers and Committees should be able to accommodate changes in legislation without the need for constant change*
- (vi) *The Delegation Scheme to Officers should include provision for the discharge of the Council's functions by the Chief Executive, Corporate Director or other Senior Officer in emergencies.*

The following recommended scheme of delegation was approved in principle:

- (i) *A comprehensive delegation to the Chief Executive, Corporate Directors and Heads of Service;*
- (ii) *An Officer Scheme of Delegation Protocols which sets out the circumstances when decisions should be made by Committee or Council;*
- (iii) *A provision enabling the Chief Executive, Corporate Directors or Heads of Service to take decisions in relation to the discharge of any of the Council's functions in cases of emergency. This is particularly important in circumstances where there is an emergency and urgent action is required. Examples include flooding or a disaster.*
- (iv) *A provision enabling the Chief Executive, Corporate Directors or Heads of Service to authorise an Officer(s) to exercise, on her/his behalf, functions delegated to her/him. Any decision taken under this*

authority would remain the responsibility of the relevant Officer and must be taken in the name of that Officer who shall remain accountable and responsible for such decisions.

- (v) Where a provision enabling the Chief Executive, Corporate Directors or Heads of Service is to be absent for any period, the Chief Executive or Executive Director must nominate in writing another Officer to act in her/his place during their absence.*