

Scheme of Sub Delegation

Part 3 of the Council's constitution sets out powers delegated to the Managing Director and Directors at Gloucester City Council.

This scheme sets out details of the sub- delegations to officers of the council by the Managing Director.

Head of Finance and Resources

1. To have operational control of the Council's finance and resources functions, and to act as financial adviser to the Council, Cabinet and committees.
2. Subject to paragraphs 3 and 4 below, to undertake all of the Council's functions in connection with:

- Accountancy (including banking)
- Investments, borrowing and financing
- Insurances
- Housing and Council Tax Benefits
- Council Tax, NNDR and other Revenues
- Internal Audit
- Debtors and Creditors
- The Collection Fund
- Investigation of fraud and financial impropriety
- The control of funds and reserves
- Procurement
- Capital Projects
- Non-housing property
- Facilities and property asset management
- Property maintenance
- The review of listings for Assets of Community Value
- Cemeteries and Crematoriums

3. To undertake the following non- executive functions:

Function	Condition
Approve revenue budget virements between service areas/budget heads not exceeding £25,000	In consultation with appropriate Corporate Director. If exceeding £10,000, Cabinet Member to be informed.
Approve ex gratia and maladministration compensation payments up to £5,000	In consultation with the Council Solicitor
Set fees and charges and increase in line with inflation	Cabinet Member or Appropriate Committee Chairman to be informed
Authorise legal proceedings	In consultation with the Director, One Legal

4. To undertake the following executive functions:
 - To write off irrecoverable debts of less than £10,000 and to make recommendations to the Cabinet Member for Performance and Resources in respect of debts in excess

of £10,000, but below £100,000. Irrecoverable debts greater than £100,000 will be the subject of a report to Cabinet.

- To determine claims for compensation for listed land (assets of community value) in consultation with the Cabinet Member for Performance and Resources.
- Respond to consultations within the remit of the post other than from Government, local authority associations and similar bodies which have policy or cross service issues.
- Implement the Council's Risk Management Policy & Strategy.
- Agree increase in fees and charges in line with inflation.
- Monitor the performance of contracts and service level agreements in respect of all non-internally provided services within the remit of the post.
- Make bid for funding with resource implications not exceeding £100,000.
- Accept tenders and quotations within budget and not exceeding £250,000.
- Approve waiver to Contract Rules where the value does not exceed £250,000.
- To impose sanctions in Benefit Fraud cases.
- To represent the Council in the Magistrates' Court and in the County Court and, in respect of Housing and Council Tax Benefit Appeals, to represent the Council at Hearings of the Appeals Service.
- To grant discretionary housing payments.
- To determine appeals in respect of applications for Discretionary Rate Relief made pursuant to Section 47 of the Local Government Finance Act 1988.
- To determine appeals in respect of applications for remittance in full or part on the grounds of hardship, pursuant to Section 49 of the Local Government Finance Act 1988.
- To determine appeals in respect of locally defined Council Tax discounts in accordance with S13A of the Local Government Finance Act 1992.
- To sign and serve completion notices under Schedule 4A of the Local Government Finance Act 1988 as amended for Non Domestic Rates and under Section 17 of the Local Government Finance Act 1992 for Council Tax.
- To determine applications received under the provisions of Section 44A of Schedule 5 of the Local Government Finance Act 1988 (Non Domestic rates – partly occupied Properties).
- Dispose of non-land assets with a value not exceeding £5,000.
- Acquire land or property following CPO
- Acquire land (other than following a CPO) where the value does not exceed £50,000;
- Dispose of or exchange land with a value not exceeding £50,000 including at an undervalue (and including public open space disposals where there have been no objections to the statutory notice of disposal)
- Give public notice of a proposal to dispose of or change the use of public open space
- Determination of rent reviews:
 - (a) Where the annual rental does not exceed £250,000; or
 - (b) Where the annual rental exceeds £250,000, where a calculation mechanism is set down in the lease and has no element of negotiation
- Grant consents and licences under any leases granted by the Council.
- Apply for consents and licences under any leases under which property is held by the Council.
- Authorise rent subsidy (not exceeding £50,000) to third party on Council owned land.
- All other matters within the day-to-day management of the Council's property portfolio where the value of the action taken does not exceed £50,000.
- Take all steps reasonably necessary for the effective and efficient delivery of services for which they are responsible.

Definitions:

- “Acquire” includes the acquisition (including the acceptance of a surrender where appropriate) of a freehold or leasehold interest, rights, benefits or privileges, the dedication under statutory powers or obligations and includes the variation of any lease where the Council is a tenant under the lease.
- “Appropriation (appropriate)” is the formal transfer of property within the Authority from one statutory function to another.
- “Dispose” includes the transfer of a freehold interest, dedication under statutory powers or obligations, easements (leasehold or freehold) and the grant, release, assignment or giving of a surrender (as appropriate) of any lease, covenants, benefits rights or privileges and includes the variation of any lease where the Council is a landlord under the lease.
- “Land” includes all buildings structures, rights and interests associated with land.
- “Lease” includes any tenancy, licence, consent to occupy.
- “Subsidy”, where there is reference to rent subsidy, is to the value of the identifiable rent, service charges, business rates and other outgoings for the identifiable period of commitment“
- Value”, where there is reference to a lease/tenancy/licence/surrender, is to the identifiable rent, service charges, business rates and other outgoings for the identifiable period of commitment.

Head of Transformation and Commissioning

1. To have operational control of the Council’s transformation programme and act as the Council’s lead commissioner, advising Council, Cabinet and committees.
2. Subject to paragraphs 3 and 4 below, to undertake all of the Council’s functions in connection with:
 - ICT (including Transformation)
 - Customer Services
 - Data Controller
 - Strategic Commissioning
 - Human Resources (as Client Officer/Commissioner)
 - Communications (as Client Officer/Commissioner)
 - Legal Services (as Client Officer/Commissioner)

3. To undertake the following non- executive functions:

Authorise legal proceedings	In consultation with the Director, One Legal
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4. To undertake the following executive functions:
 - Respond to consultations within the remit of the post other than from Government, local authority associations and similar bodies which have policy or cross service issues.
 - Make bid for funding with resource implications (within budget) not exceeding £50,000.
 - Accept tenders and quotations within budget and not exceeding £250,000.
 - Take all steps reasonably necessary for the effective and efficient delivery of services for which they are responsible.

Head of Place

1. To have operational control of the Council’s:
 - regeneration and economic development functions and to act as adviser to the Council, Cabinet and committees

- Town and Country Planning and development control as specified in Section A of Schedule 1 of the Local Authorities (Responsibilities for Functions) (England) Regulations 2000 as from time to time in force including enforcement and all powers under planning legislation to obtain information as to interests and particulars of persons interested in land to Town and Country Planning and development
2. Subject to paragraphs 3 and 4 below, to undertake all of the Council's functions in connection with:
- The Local Development Framework
 - Heritage and Conservation
 - Archaeology
 - Monuments
 - Development Control
 - Building Control
 - Planning Policy
 - Capital projects
 - Economic Regeneration (including the provision of loans and grants for economic regeneration purposes, after consultation with the relevant Cabinet Member)
 - Public Rights of Way
3. To undertake the following non- executive functions:

Determine applications for: (a) full planning permission; (b) outline planning permission; (c) approval of reserved matters; (d) listed building consent; (e) conservation area consent; (f) advertisement control consent	Except as specifically allocated to Planning Committee under Part 3C Table 2
Determine planning applications relating to trees including (a) trees covered by Tree Preservation Orders: and (b) trees within Conservation Areas.	Except as specifically allocated to Planning Committee under Part 3C Table 2
Other actions and decisions (including enforcement, entry on to land and planning agreements) as local planning authority under the Town & Country Planning Act 1990, Planning (Listed Building & Conservation Area) Act 1990 and all planning related legislation.	Except as specifically allocated to or by Council
Authorise the stopping up or diversion of a highway, footpath or bridleway or extinguish public rights of way over land held for planning purposes.	
Extinguish public right of way over land acquired for clearance.	

Determine jointly with the Director, One Legal the wording of, and completion of agreements under Section 106 of the Town and Country Planning Act 1990	Except as specifically allocated to Planning Committee under Part 3C Table 2
Authorise legal proceedings	In consultation with the Director, One Legal

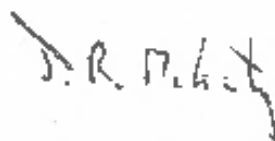
4. To undertake the following executive functions:
- Respond to consultations within the remit of the post other than from Government, local authority associations and similar bodies which have policy or cross service issues.
 - Make bid for funding with resource implications not exceeding £100,000.
 - Accept tenders and quotations within budget and not exceeding £250,000.
 - Take all steps reasonably necessary for the effective and efficient delivery of services for which they are responsible.

Head of Culture

1. To have operational control of the Council's functions relating to cultural services.
2. Subject to paragraphs 3 and 4 below, to undertake all of the Council's functions in connection with:
 - (i) Council's Cultural Strategy
 - (ii) Visitor Experience
 - (iii) Tourism and Destination Marketing
3. To undertake the following non- executive functions:

Authorise legal proceedings	In consultation with the Director, One Legal

4. To undertake the following executive functions:
 - Respond to consultations within the remit of the post other than from Government, local authority associations and similar bodies which have policy or cross service issues.
 - Make bid for funding with resource implications (within budget) not exceeding £50,000.
 - Accept tenders and quotations within budget and not exceeding £250,000.
 - Take all steps reasonably necessary for the effective and efficient delivery of services for which they are responsible.



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 Managing Director