

Proposed Changes to Constitution

(Extracts from the Constitution – **recommended changes**)

4. DECISION MAKING AND KEY DECISIONS

4.3 Types of decision

(i) **Decisions reserved to full Council.** Decisions relating to the functions listed in the Full Council Policy Framework will be made by the full Council and other non-executive Decisions are delegated to Council Business Management Committee and Regulatory Committees.

(ii) **Decisions reserved to Cabinet and “Key Decisions”**
 “Key decisions” must be taken by Cabinet, unless delegated by Cabinet to a Cabinet Member jointly with the Chief Officer or a Chief Officer or Director alone. **or where permitted under Part B Appendix 13 Delegated Authority to Chief Executive and Chief Officers (Corporate Directors).** A decision will be a “key decision” if:

(i) it is an Executive decision relating to the discharge of an Executive function

(ii) AND is likely to result in the local authority incurring expenditure which is, or the making of savings which are, significant:

- in the case of capital projects, if they involve entering into new commitments and/or making savings in excess of £1M; or
- in the case of revenue projects, if they involve entering into new commitments and/or making new savings in excess of £500,000, (gross value).

OR is significant in terms of its effect on communities living or working in an area comprising two or more Wards in the area of the local authority.

13. DELEGATED AUTHORITY TO CHIEF EXECUTIVE AND CHIEF OFFICERS (CORPORATE DIRECTORS)

(i) Subject to clause (vi) and **(vii) below**, Corporate Directors have the following delegated powers in respect of all matters which are not “key

decisions” and not reserved for decision by the Council or by a Committee of the Council:

- to make decisions and approve expenditure relating to the functions of their Directorate providing (1) that the sum expended is within the approved budget for the Directorate and/or relevant portfolio, and (2) the amount in relation to any single matter does not exceed £200,000 or (3) the amount in relation to any single matter is between £200,000 and £500,000 (revenue) or £1M (capital) jointly with the relevant Cabinet member(s).
- (vii) The Chief Executive and the Corporate Director of Economy have the following additional powers to make decisions in relation to:
- the acquisition and disposal of leasehold interests for rent (including the granting and surrendering of any rights over such land and property) provided that any rental does not exceed £125,000 p.a;
 - **Increase to £300,000 pa**
 - the acquisition and disposal of freehold and leasehold interests at a premium, provided that the premium does not exceed £1,000,000;
 - **the acquisition and disposal of freehold and leasehold interests at a premium, where the premium is over £1,000,000 but does not exceed £5,000,000 – jointly with the Leader in consultation with the Corporate Director Finance and Governance;**
 - the management of all of the Council’s land and properties, including the authorising and payment of discretionary contributions towards trade/loss and or removal expenses and all payments due under an approved Compulsory Purchase Order, provided that the cost does not exceed £200,000;
 - **increase to £500,000**