

## Officer Delegated Decisions (September 2022 to January 2023)

Summary: This report details the decisions taken by Senior Officers under delegated powers from September 2022 to January 2023

Options considered: Not applicable.

Recommendations: **To receive and note the report and the register of officer decisions taken under delegated powers.**

Reasons for Recommendations: The Constitution: Chapter 6, Part 5, sections 5.1 and 5.2. details the exercise of any power or function of the Council where waiting until a meeting of Council or a committee would disadvantage the Council. The Constitution requires that any exercise of such powers should be reported to the next meeting of Council, Cabinet or working party (as appropriate)  
Section 2.1 sets out the requirements regarding the reporting of conditional delegated decisions,

### LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

*(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)*

Delegated decision forms – as completed by the relevant officer
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Cabinet Member(s) All	Ward(s) affected All
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Contact Officer, telephone number and email: Emma Denny, Democratic Services Manager, 01263 516010
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## 1. Introduction

### 1.1 Officer delegated decision making process.

Officer delegated decision are available to the public through the website and are reported to Members via Cabinet and Overview & Scrutiny Committee. The process for reporting and consulting on these decisions is contained in the Constitution at Chapter 6, 2.1 (Conditional Delegation) and 5.1 and 5.2 (Full Delegation to Chief Officers) and the publication of these decisions is a legal requirement.

- 1.2 The overall list has been revised to only include decisions taken during late 2022 and 2023. Historic lists are available on the website.

## **2. Consultation**

- 2.1 The Constitution requires that for the exercise of any power or function of the Council in routine matters falling within established policies and existing budgets, where waiting until a meeting of the Council, a committee or working party would disadvantage the Council, an elector or a visitor to the District, then the officer exercising the power must consult with the Leader, the relevant portfolio holder and if it relates to a particular part of the District, the local member.
- 2.2 For the exercise of any power or function of the Council, which in law is capable of delegation, in an emergency threatening life, limb or substantial damage to property within the District, the senior officer shall consult with the Leader or the Deputy Leader.
- 2.3 Overview and Scrutiny Committee will receive the delegated decisions list at their meetings so they can fully understand why they were taken and assess the impact on the Council.

## **3. Financial and Resource Implications**

As many of the decisions taken by officers under delegated powers were key decisions there is a financial impact.

## **4. Legal Implications**

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require that all decisions, including those taken by officers, must state:

- The decision taken and the date it was made
- The reasons for the decision
- Details of options considered and rejected and the reasons why they were rejected
- Declarations of interest and any dispensations granted in respect of interests

Officers taking a decision under delegation are required to complete a form.

## **5. Conclusion and Recommendations**

Each decision has been recorded and a summary is provided at Appendix A

### **Recommendation:**

**Cabinet is asked to receive and note the register of officer decisions taken under delegation.**