

Local Choice Functions – Delegation to Officers	
Executive Summary	This report summarises that Local Choice Functions, being functions of Cabinet, be delegated to appropriate officers given the nature of those functions.
Options considered	Delegate these functions to officers Do not delegate these functions.
Consultation(s)	Constitution Working Party Director for Service Delivery
Recommendations	That Cabinet resolve that Local Choice Functions are delegated to the Director of Service Delivery
Reasons for recommendations	Following the recent review of the constitution, these local choice functions involve matters which are focussed on operational functions.
Background papers	Constitution [Chapter 3, Part 3, Para 2(e), and Chapter 6, Part 3]

Wards affected	All
Cabinet member(s)	All
Contact Officer	Cara Jordan, Monitoring Officer, cara.jordan@north-norfolk.gov.uk

Links to key documents:	
Corporate Plan:	A strong, responsible and accountable council
Medium Term Financial Strategy (MTFS)	Proposals are not linked to the MTFS
Council Policies & Strategies	Non specific

Corporate Governance:	
Is this a key decision	No
Has the public interest test been applied	N/A
Details of any previous decision(s) on this matter	

1. Purpose of the report

This report outlines the proposal for local choice functions to be delegated to officers.

2. Introduction & Background

Local choice functions are those which, under the Local Authorities (Functions and Responsibilities)(England) Regulations 2000, may be exercised either by the Cabinet or the Council. North Norfolk District Council's Constitution places responsibility for these functions with Cabinet, as detailed in Chapter 3, Part 3, Para 2(e) of the Constitution.

3. Proposals and Options

3.1 The local choice functions, set out in Chapter 3, Part 3, Para 2(e) of the Constitution concern are largely operational in nature, including such matters as the inspection of the district to detect statutory nuisances, as well as the investigation of complaints regarding such, as well as the service of abatement notices and obtaining particulars of persons with an interest in land.

3.2 So as to ensure that day-to-day operational matters can be conducted efficiently, and to ensure legal and procedural requirements are met by lawful and transparent delegation of functions, the recently amended constitution allows for these cabinet functions to be delegated to officers. It is suggested that the delegated authority be given to the Director of Service Delivery who may then authorise suitable persons with relevant experience within his departments to undertake the relevant tasks. If cabinet resolves to this delegation, this will be reflected in the newly updated constitution at Chapter 6, Part 3.

4. Corporate Priorities

A strong, responsible and accountable council - Ensuring that strong governance is at the heart of what we do

This proposal is not linked to the MTFS and there are no specific financial implications.

5. Financial and Resource Implications

There are no specific or additional financial or resource implications.

Comments from the S151 Officer:

There are no perceived financial implications.

6. Legal Implications

The Local Government Act 2000 and the associated Functions and Responsibilities Regulations provide the statutory framework for the delegation of functions, identifying executive, non-executive or local choice functions. The Constitution reflects that the local choice functions, set out therein, are functions of Cabinet. Clear delegated authority to officers will help to ensure that

decisions are made efficiently and in accordance with legal and procedural requirements.

Comments from the Monitoring Officer

The Monitoring Officer (or member of the Legal team on behalf of the MO) will complete this section. They will outline any legal advice provided.

A clear understanding and delegation of who has authority to carry out local choice functions, which are largely operational in nature supports good governance and lawful and transparent procedures to ensure lawfulness.

7. Risks

The risk of not delegating these functions to officers could result in increased matters being brought to Cabinet which relate to operation matters.

8. Net ZeroTarget

This proposal relates to governance processes and would not impact upon the Council's Net Zero Strategy & Action Plan

9. Equality, Diversity & Inclusion

This relates to governance procedures and no impact under equality legislation is foreseen.

10. Community Safety issues

This relates to governance processes and no impact on community safety issues is anticipated.

Conclusion and Recommendations

Cabinet resolve that Local Choice Functions are delegated to the Director of Service Delivery