

Officer Delegated Decisions (March to May 2020)

Summary: This report details the key decisions taken by Senior Officers under delegated powers from 1st March to 1st May 2020.

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)

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

Cabinet Member(s) All	Ward(s) affected All
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1. Introduction

1.1 Officer delegated decision making process.

The officer delegated decision making process has been refreshed in light of the Covid-19 pandemic so that decisions that need to be made quickly can be. The reporting of decisions taken in this way has been strengthened, so it is clear that it is an officer decision that is being made, and the consultation requirements around those decisions. These decisions are available to the public through the website and are reported to Members through a weekly information bulletin. Key decisions are reported to Cabinet. The process for reporting and consulting in these decisions is contained in the Constitution at Chapter 6, 5.1 and 5.2 and the publication of these decisions is a legal

requirement.

2. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

- 2.1 Immediately following the outbreak of the Covid 19 pandemic, the Council had to realign its resources and the committee meeting cycle was reduced to the regulatory committees and Cabinet, with all other committees and sub-committees being kept under review. There was a period of time until the new regulations were enacted, when committees were run on a hybrid basis – with Members meeting and then agreeing to request that officers use their delegated powers to implement decisions. The decisions taken during this period were recorded and are available to view on the website: <https://www.north-norfolk.gov.uk/tasks/democratic-services/officer-delegated-decisions/> Any other non-key decisions taken by officers will be added to this list and it will be updated regularly to reflect this.
- 2.2 Due to the extra demand placed on the Council during the pandemic, several key decisions needed to be taken urgently. These could not wait until the next meeting of Cabinet and senior officers used their delegated powers (outlined within Chapter 6, section 5.2 of the Constitution). A key decision is a decision which results in expenditure or savings of £100k or more or which is significant in terms of its effect on communities living or working in an area comprising two or more wards.

3. Consultation

- 3.1 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.
- 3.2 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. The Covid 19 pandemic was considered to fall within this category.
- 3.3 Overview and Scrutiny Committee will be meeting on 27th May and the Chairman has requested that committee reviews the delegated decisions so they can fully understand why they were taken and assess the impact on the Council.

4. Financial and Resource Implications

As many of the decisions taken by officers under delegated powers were key decisions there is a financial impact. All of the decisions reported to Cabinet on 18 May were related to Covid 19 and had not been included in the Budget set by Full Council on 26th February 2020.

5. 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. An example of this is attached at Appendix A.

6. Conclusion and Recommendations

Several key decisions have been taken by senior officers under delegated authority during the Covid 19 pandemic. Each decision has been recorded and a summary is provided at Appendix B

Recommendation:

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