

Table 6

Scheme of Delegations to Officers

Delegation of Powers to Chief Executive and all Directors

B. Land and Property

1. (a) To authorise the granting, determination or obtaining of easements, wayleaves and licences (Including agreements for the seasonal use of agricultural land) over or in respect of land held for or required for the purposes of the County Council, including approval of the terms of the transaction. This power shall not be exercised, except in the case of land used or required for a public highway, without first taking appropriate professional advice in accordance with guidelines which may from time to time be laid down by the Assistant Chief Executive and the Chief Operating Officer which will include provision to comply with corporate property requirements.
- (b) After taking appropriate professional advice, as set out in (a) above, to approve the terms of any transaction as described in (a) above.
2. After taking appropriate professional advice in accordance with guidelines which may from time to time be laid down by the Assistant Chief Executive and the Chief Operating Officer which will include provision to comply with corporate property requirements:
 - (a) to authorise the sale or leasing of land to statutory undertakers for the purposes of their statutory functions;
 - (b) subject to financial provision existing and the net rent not exceeding £2550,000 per annum, to authorise the taking of a lease, ~~or~~ tenancy or licence of land or buildings and to authorise the determination of such a lease, ~~or~~ tenancy or licence;
 - ~~(c) to authorise the granting of a lease or tenancy of land and buildings and all associated documents (including a Commercial Transfer Agreement) in relation to the formation of new or expanded school/educational facilities (including but not exclusive to Academies, Trusts and Free Schools) and to authorise the determination of such a lease or tenancy or associated agreement;~~
 - ~~(d) to authorise the granting and termination of leases and licences for a period not exceeding 14 years of premises held for staff accommodation or premises or land not immediately required for County Council purposes;~~

(d) to authorise the granting of a lease, tenancy or licence of land or buildings for a period not exceeding 21 years and to authorise the determination of such a lease, tenancy or licence;

(e) to hire or hire out or authorise the use of buildings or facilities held or required for the purposes of the County Council; and

(f) to grant consent:

(i) to the underletting or assignment of any lease or tenancy of land under the control of the County Council;

(ii) under restrictive covenants the benefits of which are vested in the County Council;

(iii) for the modification of a covenant, title restriction or encumbrance or an overage provision.

3. Following consultation with the Lead Cabinet Member for Resources and Climate Change and the Cabinet Member responsible for the service concerned: (1) in cases of urgency to approve the acquisition of any interest in land required for the purposes of the Council; and (2) subject to Financial Regulations, to approve on behalf of the Council the price or other consideration for the acquisition of any interest in land, after taking appropriate professional advice in accordance with guidelines which may from time to time be laid down by the Chief Executive and the Chief Operating Officer. (Refer to paragraph 4 below if acquisition cost is below £100,000).

4. After taking appropriate professional advice in accordance with guidelines which may from time to time be laid down by the Chief Executive and the Chief Operating Officer and having consulted the Chief Operating Officer, to approve the terms of any land acquisition where the payment to the other party does not exceed £100,000 (in the case of a lump sum payment) or £2550,000 per annum (in respect of an annual rental) (subject to financial provision existing), and to maintain a register of all such transactions which should be available for inspection by members. (Refer to paragraph 3 above if acquisition is above £100,000).

5. After taking appropriate professional advice in accordance with guidelines which may from time to time be laid down by the County Council which will include provision to comply with corporate property requirements:

(a) to authorise land to be declared surplus where the area of land does not exceed 0.2 hectare (0.494 acre);

(b) to approve dedications of land; and

- (c) to authorise the acquisition of land for operational purposes up to an area of 0.2 hectare (0.494 acre) subject to there being provision within approved capital or revenue budgets.
6. After taking appropriate professional advice in accordance with guidelines which may from time to time be laid down by the Chief Executive and the Chief Operating Officer to authorise the payment of appropriate disturbance costs and a sum equal to a home loss payment on the acquisition of properties purchased in advance of the confirmation of a compulsory purchase order.
 7. After taking appropriate professional advice in accordance with guidelines which may from time to time be laid down by the Chief Executive and the Chief Operating Officer and after consulting the relevant Cabinet members (if the proposed terms are less than the market value) to approve the terms of lettings to charitable organisations.
 8. After consultation with the Chief Executive to authorise the service of counter notices to blight notices.
 9. To seek planning permission under regulation 3 of the Town and Country Planning General Regulations 1992.
 10. To be responsible for the client functions covered by Service Level Agreements as set out below, these functions to be exercised in accordance with guidelines which may from time to time be laid down:

Commissioning professional property services:

- preparing and agreeing tender lists for competitively procured professional services;
- preparation of tender documentation;
- tender evaluation;
- establishing and reviewing quality thresholds;
- resolving technical problems, disputes and queries;
- performance monitoring;
- processing applications for payment of professional services;
- review of systems of delivery.

Service Department Client Functions

- preparation and holding of budgets for capital projects;
 - commissioning client agent in accordance with corporate policy;
 - preparation of client project design standards;
 - agree final selection of consultants;
 - approval of contract terms i.e. timescales/budgets;
 - accept handover and organise occupation.
11. To take, and to give approval to take, all lawful steps to take, recover and retain possession of County Council land and property, to secure at all

times that trespassers do not enter on to such land and to remove trespassers from such land; and to engage in any lawful activities in connection therewith.

C. Personnel Human Resources

Where appropriate the following delegations to the Chief Executive and Directors are qualified by the appropriate section(s) of the Personnel Human Resources Scheme of Delegations and HR Policies and Procedures.

1. Within the approved financial estimates of the department concerned to set the staffing complement and to appoint employees to all posts other than those reserved for elected member appointment and to approve starting salaries.
2. In accordance with national and/or local agreements and/or policy and criteria approved by the County Council to set terms and conditions of employment of staff and, provided the estimates of the department or for the project concerned are not thereby exceeded, to accelerate the incremental position of any employee whose post is not reserved for elected member appointment, provided the maximum of the grade for the post is not exceeded
3. Provided that the cost can be met from within the approved training estimates (a) to arrange and approve the training of employees in accordance with the County Council's post entry scheme of training, training policy and practice; and (b) to approve the attendance of officers at professional conferences.
4. In accordance with the policy of the County Council and, where appropriate, after taking medical advice:
 - (a) to extend an employee's period of sick leave on full pay or half pay for a maximum period not exceeding three months;
 - (b) to vary the requirement to return to duty for a minimum period of five months following maternity leave.
5. To allow an employee to return to work on a part-time basis on full pay for up to two months, provided medical advice is sought and it will contribute positively to the employee's eventual return to full duty.
6. In accordance with the policy of the County Council to authorise:
 - (a) special leave, paid and/or unpaid, to include special leave for trade union activities;
 - (b) extended maternity leave without pay;
 - (c) compassionate leave for up to two weeks;
 - (d) officers on or above Spinal Column Point 23 on the Single Status Scheme to engage in other business or take up additional appointments;

- (e) an employee to use their private vehicle on official business;
- (f) approval of applications for loans to employees in accordance with the Employee Loans Policy;
- (g) applications to participate in the lease car scheme from officers travelling over 3,500 miles but less than 4,000 miles per annum on official business in cases where there is a range of similar posts carrying out similar duties and average business miles in the group of posts is 4,000 miles or more but mileage variations exist due to geographical or other factors;
- (h) in respect of participation in the lease car scheme, a higher threshold than 4,000 miles on official business per annum being applied in respect of his or her department if departmental circumstances make that necessary;
- (i) within guidelines developed by the Chief Executive, to reduce lease car user contributions by 25% or 50% within the general scheme as a recruitment and retention incentive for individual or groups of posts where labour wastage is detracting from operational efficiency on the basis that departments will meet any additional costs from within existing budgets;
- (j) to agree to the payment of a relocation allowance above the maximum figure in the relocation scheme in appropriate circumstances after consultation with the Chair of the Governance Committee and the Leaders of the other Groups.
- (k) extensions of the time limit for making claims under the Relocation Grant Scheme;
- (l) in circumstances in which the County Council could normally be expected to assume some responsibility, ex gratia payments to staff up to a maximum of £1000. Ex gratia payments above £1000 and not exceeding £10,000 may be authorised by the Chief Officer after consultation with the Chief Finance Officer and Assistant Chief Executive. (The degree of negligence on the part of the claimant will be taken into account in assessing the payment). Payments in excess of £10,000 to be authorised by the Lead Member for Resources and Climate Change;
- (m) honoraria payments for special merit up to £1000;
- (n) honoraria payments to staff who temporarily undertake additional duties or responsibilities in accordance with the scheme for the time being in force;

- (o) planned overtime for staff on or above Spinal Column Point 23 on the Single Status Scheme;
 - (p) the amount of sickness allowance to be discounted following an award to an employee by the Criminal Injuries Compensation Board;
 - (q) in special cases, variations in the normal repayment provisions relating to:
 - (i) training expenses where the employee leaves within two years of completing a course of study;
 - (ii) relocation expenses where the employee leaves within the period stated in the scheme in consultation with the Chief Operating Officer;
 - (r) the dismissal of unsatisfactory probationary employees;
 - (s) in special cases, salary and/or service condition protection to employees redeployed for reasons other than redundancy or re-organisation.
7. To accredit trade union representatives and safety representatives appointed by the recognised trade unions in accordance with the agreement for 'Recognition of and Facilities for Union and Safety Representatives'.
8. To authorise increases to locally agreed departmental special payments and allowances to reflect movement in the relevant cost of living/wage award as appropriate.
9. To dismiss staff in accordance with the County Council's disciplinary and other procedures.
10. (a) To grade all posts below LMG Band 1 where the skill requirement is confined to that department.
- (b) In agreement with the Chief Executive to grade all other posts in this group.
11. In relation to in-house provider posts below general manager/consultancy manager level (i) to enable an in-house provider to fulfil a contract within the terms of the tender award; or (ii) as a result of the loss of, or variation in the terms of, a contract:
- (a) to increase the number of posts within an in-house provider, provided that where the variation is beyond that set out in the business plan the Chief Operating Officer is satisfied that the

revised employment costs can be met from income and that, where appropriate, the statutory rate of return can still be achieved;

- (b) to reduce the number of posts within an in-house provider, by redundancy if necessary;
- (c) to set the pay and conditions of service on which staff in the in-house providers are employed and to vary those pay rates and conditions of service.

The employment policies adopted for the in-house providers shall be followed in achieving any reductions in the number of posts or in making any variations in the pay and conditions of service on which staff are employed.

3. Delegations to Particular Officers

B. Chief Operating Officer

Finance

1. To implement decisions of National Negotiating Bodies affecting employees, except insofar as such decisions give discretionary powers to employing authorities.

Corporate Property Functions

2. To undertake corporate property reviews.
3. To develop policies, and set and monitor corporate standards to achieve the policies in relation to:
 - land acquisition;
 - new build and maintenance;

and to ensure corporate mechanisms are in place to achieve this role.

4. To provide Health and Safety advice and guidance in respect of property matters.
5. To provide and maintain the County Council's terrier and other corporate property information.
6. To provide property advice to the County Council on corporate functions including the following client agent functions in relation to corporate property responsibilities:
 - property services input to property reviews and property audits;
 - asset valuations;
 - advice on the mix between temporary/permanent and freehold/leasehold accommodation;
 - property and land acquisition and disposal service.

7. To prepare and maintain approved lists of works consultants and contractors.

Other Property Matters

8. To declare surplus to County Council requirements and to authorise the disposal of small areas of surplus land where:

- (a) no alternative form of development is considered possible and;
- ~~(b) the adjoining owner is the only likely purchaser; and~~
- (eb) the area of land is less than 0.2 hectares (0.494 acres).
9. To authorise the disposal of surplus houses-land, buildings and chattels in accordance with the policy set by the Council.
10. To authorise the temporary occupation of a property (for a maximum period of 12 months) where a staff tenancy terminates for any reason other than retirement or death of the employee.
11. To approve the terms of any land disposal where the payment from the other party does not exceed £250,000 (in the case of a lump sum payment) or £2550,000 per annum (in respect of an annual rental), and to maintain a register of all such transactions, to be available for inspection by members.
12. After consultation with the Lead Cabinet Member for Resources and Climate Change (subject to Financial Regulations) to approve on behalf of the Council the sale price or other consideration for the disposal of any interest in land, above the limit set in paragraph 12 above.
13. To seek planning permission under Regulation 4 of the Town and Country Planning General Regulations 1992.