

## Wakefield Metropolitan District Council Officer Scheme of Delegation

### Statutory Officers.

The Council has designated the following posts as shown below:

<b>Post</b>	<b>Statutory Officer Designation</b>
Chief Executive	Head of Paid Service (Section 4 – Local Government and Housing Act 1989)
Chief Finance Officer	Officer Responsible for Financial Administration (Section 151 – Local Government Act 1972)
Chief Legal Officer	Monitoring Officer (Section 5 – Local Government and Housing Act 1989)
Corporate Director – Children and Young People	Chief Education Officer (Section 532 – Education Act 1972)  Director of Children’s Services (Section 18 – Children’s Act 2004)
Corporate Director – Adults and Health	Director of Adult Social Services (Section 6 – Local Authority Social Services Act 1970)
Director of Public Health	Director of Public Health (Section 73A – National Health Service Act 2006)
Governance Manager	Scrutiny Officer (Section 31 – Local Democracy, Economic Development and Construction Act 2009 / Schedule 2 of the Localism Act 2011)

## **The Chief Executive**

The Chief Executive is the Head of Paid Service and is the most senior officer within Wakefield Metropolitan District Council.

The Chief Executive has authority over all Corporate Directors and is responsible for all work carried out by the Council having overall coordination of the Council's functions.

The Chief Executive is authorised to discharge any function of the Council, a Committee or the Executive not otherwise delegated to a Corporate Director, including civic and ceremonial functions of the Council, to take any action remitted to him/her under corporate procedures, and to act as the Council's "Proper Officer" for the purpose of any function not otherwise delegated under these arrangements, with the exception of: those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet for consideration.

The Chief Executive is the Council's main strategic policy advisor and is responsible for the management of all Council staff and resources whilst ensuring that Council policies and services are delivered effectively.

The Chief Executive is responsible for deploying the Council's resources in accordance with the strategic objectives as set by Cabinet and Council and is responsible for the overall financial management of the authority.

The Chief Executive is the primary adviser to the Cabinet, Council and Committees and is responsible for the provision of professional advice to all parties in the decision making process; and together with the Monitoring Officer, responsible for a system of record keeping for all the authority's decisions.

The Chief Executive is the principal adviser to the Civic Mayor and acts as the Council's Electoral Registration Officer and Returning Officer.

The Chief Executive is authorised to take any urgent action in the event of a civil emergency and will deal with matters relating to civil protection/emergency planning arising from the Council's powers and duties under the appropriate legislation. The Chief Executive will take any immediate action as necessary to implement the Council's Emergency Plans and provide urgent immediate assistance to those in need.

The Chief Executive or nominated deputy has the power to take any decision, including a key decision, in a situation where the matter is so urgent that in the case of a key decision it does not allow time for a report to be considered by Council, Cabinet, the relevant Cabinet Member or the appropriate Committee. This shall be done in consultation with the Leader or the Deputy Leader, in the event of any key decisions. The decision shall be reported to the next appropriate and available

meeting.

Legislation vesting powers in the Chief Executive to discharge a function will be dealt with by the Chief Executive or he/she may delegate the function to the relevant Corporate Director, Director or Service Director.

The Chief Executive is authorised to terminate the employment of first and second tier officers where this falls within the Council's scheme for voluntary redundancy or voluntary early retirement, subject to reporting the position to the relevant Portfolio Holder as soon as reasonably possible thereafter.

The Chief Executive is authorised to amend any part of the Constitution to reflect properly made changes to the Officer structure and their service areas.

The delivery of projects, including the phasing of the work, the spending profile, the scope to identify and develop additional projects (that meet the aim of the 'More Money in my Pocket' initiative) with the authority to commit financial resources to a total of £1.5m, in consultation with the Leader of the Council.

The Chief Executive chooses to discharge functions through the Corporate Management Team and delegates certain functions and responsibilities to senior officers as set out in the table overleaf:

## 1. Corporate Management Team

Post	Functions and areas of responsibility
<p><b>Chief Executive</b></p>	<p>Main strategic policy advisor to the Council.</p> <p>Chair of the Corporate Management Team.</p> <p>Responsibility for securing and managing the professional body of staff needed to deliver modern, effective well focussed services.</p> <p>Overall management and operational responsibility (including overall management responsibility) for all Officers.</p> <p>Provision of professional advice to all parties in the decision making process.</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions.</p> <p>Representative and advocate on behalf of the Council in a range of partnerships and external bodies at a local, regional and national level (as required by statute or the Council) including the West Yorkshire Combined Authority.</p> <p>The <b>Chief Executives Unit</b> comprises:-</p> <p><b>Financial Services</b> (Financial Management, Internal Audit and Risk, Corporate Procurement, Revenues and Benefits, Business and Transactional Services)</p> <p><b>Legal and Governance</b> (Legal Services, Electoral Services, Registration Service, Governance Service and Coroners Service)</p> <p><b>HR and Organisational Development</b> (HR Business Partners, Workforce Development, HR Operations, Communications, Engagement and Marketing)</p> <p><b>Technology and Digital Transformation</b> (Technical, Systems, Projects and Programmes, Business Engagement and Intelligence and Change)</p>

<p><b>Corporate Director (Regeneration &amp; Economic Growth)</b></p>	<p>The Corporate Director Regeneration &amp; Economic Growth is authorised in accordance with the Constitution and the Officer Scheme of Delegation to carry out functions on behalf of Full Council and the Executive in relation to:-</p> <p><b>Economic Growth and Skills</b> - Economic Development, Housing, Regeneration, Regional Growth, Adult and Community Education Services.</p> <p><b>Arts, Culture and Leisure</b> - Culture, Destination and Markets, Libraries, Museums and Heritage, Sport and Health Improvement,</p> <p><b>Planning and Transportation</b> - Development and Building Control, Planning, Transportation Policy.</p>
<p><b>Corporate Director, Adults and Health</b></p>	<p>The Corporate Director Adults and Health is authorised in accordance with the Constitution and the Officer Scheme of Delegation to carry out functions on behalf of Full Council and the Executive in relation to:-</p> <p><b>Adult Social Care</b> - Adult Social Care Services, including personal services, day care, home care, residential care and social work, Operations Hospitals, Self-Directed Support, Adult Social Care Assessment, Mental Health Services, Adaptations, Community Equipment, Personalisation, Adult Care and Support Transformation.</p> <p><b>Public Health</b> - Public Health, Public Health and Partnerships, Data Intelligence and Performance, Adult Care and Support Commissioning.</p>
<p><b>Corporate Director (Children and Young People)</b></p>	<p>The Corporate Director Children and Young People is authorised in accordance with the Constitution and the Officer Scheme of Delegation to carry out functions on behalf of Full Council and the Executive in relation to:-</p> <p><b>Education and Exclusion</b> – School Strategy and Performance, Inclusion and Assessment, Virtual Headteacher for CIC and Services for children and young people with Special Educational Needs and Disabilities (SEND), Skills and standards of attainment and achievement from Early Years to 18+.</p>

	<p><b>Partnerships, Strategy and Innovation</b> – Youth Justice and Youth Work Services, Integrated Early Help for children and families, Partnerships Planning and Transformation including the Children and Young People’s Partnership, Inclusion and Assessment.</p> <p><b>Children’s Social Care</b> – Safeguarding of Children and Young People, Learning and Quality, Children in Care and Corporate Parenting, Safeguarding and Standards, Support and Fostering, Care, Leaving Care and Emotional Wellbeing, Placements, Localities and MASH, Locality Safeguarding and Front Door.</p> <p><b>Integrated Care</b></p>
<p><b>Corporate Director, Communities, Environment and Climate Change</b></p>	<p>The Corporate Director Communities, Environment and Change is authorised in accordance with the Constitution and the Officer Scheme of Delegation to carry out functions on behalf of Full Council and the Executive in relation to:-</p> <p><b>Environment and Street Scene</b> – Climate Change, Strategic Waste, Street Scene, Environmental Health, Bereavement Services, Highways Network Management, Transport Services, Emergency Planning and Health and Safety.</p> <p><b>Communities</b> - Community Development, Services Area Working &amp; Engagement, Community Safety Partnership, Homelessness Vulnerable Adults, Enforcement and Licensing and Customer Services.</p> <p><b>Corporate Landlord</b> - Corporate Landlord, Asset Management, Contract Manager – Property and Facilities Management Project Agreement and Framework Agreement.</p>

## 2. Delegation to Specific Officers

2.1 The fact that a function has been delegated to the Chief Executive, a Corporate Director, Chief Legal Officer or a Service Director does not require the Chief Executive/Corporate Director/ Chief Legal Officer/Service Director to give the matter his/her personal attention and he/she may arrange for such delegation to be exercised by an officer of suitable experience and seniority. However, the Chief Executive/Corporate Director/ Chief Legal Officer/Service Director remain responsible for any decision taken pursuant to such arrangements. The Corporate Director/Service Director is responsible for functions listed in the Officer Delegation Scheme.

2.2 “Functions” for these purposes is to be construed in a broad and inclusive fashion, and includes the doing of anything which is calculated to facilitate or is conducive to

the discharge of any of the specified functions.

2.3 The Chief Executive may consider in respect of any matter that the delegated authority should not be exercised and that it should be referred for consideration to the appropriate Cabinet, Committee or Health and Wellbeing Board.

2.4 These delegations include 'proper officer' functions as required by statute. In case of doubt the Chief Executive will determine the allocation of statutory proper officer functions.

### **3. Corporate Director, Regeneration and Economic Growth**

The Corporate Director Regeneration and Economic Growth is authorised to discharge any function of the Council or Cabinet regarding the authority's role in relation to the services under his/her jurisdiction, with the exception of those matters where an appropriate Cabinet Member, or in the case of non-executive functions, the Chair of the relevant Committee has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or relevant Committee as may be appropriate for consideration.

### **4. Corporate Director, Adults and Health**

The Corporate Director (Adults and Health) is authorised to discharge any function of the Council or Cabinet in relation to the services under which his/her jurisdiction with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the matter should be referred to Cabinet for consideration.

Decisions on the funding of projects through the Local Capital Grants Programme in consultation with the Portfolio Holder for Regeneration and Economic Growth. (Cabinet – 28 March 2017))

Decisions relating to all aspects of Discretionary Disabled Facilities Grants. (Cabinet – 11 February 2020)

### **5. Corporate Director, Children and Young People**

The Corporate Director (Children & Young People) is authorised to discharge any function of the Council or Cabinet in relation to the services under his/her jurisdiction, with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive for consideration.

### **6. Corporate Director, Communities, Environment and Climate Change**

The Corporate Director, Communities, Environment and Climate Change is authorised to discharge any function of the Council or Cabinet in relation to the services under his/her jurisdiction, with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the

matter should be referred to the Executive for consideration.

Cabinet has authorised the Corporate Director for Communities, Environment and Climate Change and the Environmental Health Manager, in consultation with the Leader and the Director of Public Health (DPH), to use the powers available to the Council to impose restrictions in accordance with the Health Protection (Coronavirus, Restrictions) (England) (No 3) Regulations 2020 with the exception of the following:-

- Except where the decision is a key decision by virtue of the decision having a significant impact on 2 or more Wards in which case the decision will be made by the Leader in consultation with the DPH and should be exempt from the 28 day requirements and call in, as agreed with the Chair of the Wakefield Overview and Scrutiny Management Board.

## 7. Service Directors

### 7.1 Chief Executives Unit

#### (i) **Chief Legal Officer**

- (a) To discharge the functions of the Monitoring Officer (Section 5 – Local Government and Housing Act 1989). A summary of the Monitoring Officer functions are set out in (j) below.
- (b) The Chief Legal Officer is authorised to act as Solicitor to the Council and to take any action intended to give effect to a decision of the Council, the Executive or an officer. The Chief Legal Officer is authorised to institute, defend, participate in, settle or withdraw from any legal or other proceedings or procedures including threatened proceedings, (whether under judicial protocols or not), in any case where such action is necessary to give effect to decisions of the Council or the Executive or an officer or in the case where he/she considers that such action is necessary to protect the Council's interests.
- (c) The Chief Legal Officer is authorised to discharge any function of the Executive in relation to his/her service area and any legislation relating to data protection, human rights, freedom of information and the regulation of surveillance activities, the making or issuing of orders, the authorisation of Council employees to conduct legal matters in court, and to take any action remitted to him/her under the Constitution, with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the matter should be referred to the Executive for consideration. The Chief Legal Officer is authorised to make **minor amendments** or corrections to the Constitution as necessary.
- (d) The Chief Legal Officer has managerial responsibility for the following Services:- Legal Services ; Elections; Registrars; Governance (incl. Overview & Scrutiny,



Committee Services, Civic Office, Leadership Support) and Coroners.

- (e) All functions relating to the registration of common land or town and village greens and register the variation of rights of common, except for the determination of applications for registration where there are unresolved objections) the Chief Legal Officer shall refer matters to Council/Committee for consideration where he/she considers this appropriate.
- (f) To receive petitions in accordance with the Council's Petitions Scheme.
- (g) To receive applications in accordance with Chapter 2 of the Localism Act 2011.
- (h) To receive applications in accordance with Chapter 3 of the Localism Act 2011.
- (i) The Chief Legal Officer is responsible for managing the provision of information to the public under the Freedom of Information Act and the Environmental Information Regulations and similar statutory requirements, to members of the public and the community in accordance with the Access to Information Rules.
- (j) A summary of the Monitoring Officer statutory functions are set out below:-
  - (i) Report on contraventions or likely contraventions of any enactment or rule of law - Section 5, Local Government and Housing Act 1989.
  - (ii) Report on any maladministration or injustice where Ombudsman has carried out an investigation - Section 5, Local Government and Housing Act 1989.
  - (iii) Appointment of Deputy Monitoring Officer - Section 5, Local Government and Housing Act 1989.
  - (iv) Report on resources needed to undertake Monitoring Officer functions - Section 5, Local Government and Housing Act 1989.
  - (v) Establish, maintain and publish registers of Members' Interests - Section 29 Localism Act 2011.
  - (vi) Advice to Members on interpretation of the Code - Members' Code of Conduct.
  - (vii) Maintain, review and Monitor the Constitution - Constitution – Articles 1.5, 12.5 and 15.1.
  - (viii) Proper Officer for access to information - Article 12 (f).
  - (ix) Key role in the framework for the local determination of complaints. Advice to Members, Officers and the public on the operation of the Code and how alleged breaches should be investigated - Localism Act 2011.
  - (x) Advice whether executive decisions are within the budget and policy

framework - Constitution – Article 12.

- (xi) Advice on vices issues, maladministration, financial impropriety, probity and policy framework and budget issues to all Members - Constitution – Article 12.

(ii) **Chief Finance Officer**

- (a) To discharge the functions as set out in Section 151 of the Local Government Act 1972 to ensuring that arrangements are in place for the proper administration of the Council's financial affairs including procurement. To support and advise in relation to the Council's budget strategy and medium term financial plan.
- (b) Alongside Section 151 responsibilities the Chief Finance Officer is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration. (c) The Chief Finance Officer has managerial responsibility for the following Services:- Financial Management, Internal Audit and Risk (under Regulation 5 of the Accounts and Audit Regulations 1996), Corporate Procurement, Revenues and Benefits, Business and Transactional Services.
- (d) The Chief Finance Officer is authorised to approve (in consultation with the Corporate Director (Children & Young People) the annual budgets of schools where financial delegations have been removed.
- (e) The Chief Finance Officer has been delegated by the Leader of the Council authority to appoint Consultants if the value of the contract is £25,000 or above by way of an Officer Delegated Decision. The Chief Finance Officer will provide the Leader with a quarterly update.
- (f) A summary of the Chief Finance Officers statutory functions are set out below:-
  - (i) That the Treasurer is not merely a servant of the Council but holds a fiduciary relationship to the local taxpayers. - *Case law - Attorney General -v- De Winton (1906)*.
  - (ii) To make arrangements for the proper administration of their Finance affairs. Legal opinion taken states that the term "administration" means responsibility for managing the totality of the Finance affairs of a local Council in all of its dealings. - *Section 151 of the Local Government Act 1972*.
  - (iii) The Officer appointed as the responsible Chief Finance Officer must, be a Member of a specified accountancy body. The statutory role must be performed by an "Officer" of the Council. *Section 113 of the Local Government Finance Act 1988*.

- (iv) In consultation with the Monitoring Officer and Head of Paid Service, reporting to all members and the external auditor if there is, or is likely to be, unlawful expenditure or an unbalanced budget. *Section 114 Local Government Finance Act 1988.*
- (v) Advising whether particular decisions are likely to be contrary to the policy framework or budget of the Council. *Local Government Act 2000.*
- (vi) Maintain an adequate and effective system of internal audit for accounting records and control systems. *Accounts and Audit Regulations 2015.*
- (vii) Reporting to Council on both the robustness of the budget estimates and the adequacy of financial reserves, and ensuring compliance with the prudential capital regime. *Local Government Act 2003*
- (g) In accordance with Contract Procedure Rules, contract approval requirements are set out at Appendix A.
- (h) Business Rates - Discretionary Rate Relief - Should Government funding reduce or cease, the relief scheme would reduce or cease proportionately the detail of which is delegated to the Chief Finance Officer in consultation with the Portfolio Holder for Resources (Cabinet - 15 January 2019)
- (i) Cabinet delegated authority to the Chief Finance Officer in consultation with the Portfolio Holder for Corporate Services, the detail of the Empty Homes Premium scheme. (Cabinet - 12 February 2019)

**(iii) Service Director, HR and Organisational Development**

- (a) The Service Director, HR and Organisational Development is authorised to discharge any functions relating to employment and industrial relations matters, including employee training and development , and to deal with appeals against dismissal, grading and grievances by employees below Service Director level.
- (b) The Service Director, HR and Organisational Development has managerial responsibility for the following Services:- HR Business Partners, Workforce Development, HR Operations, Communications, Engagement and Marketing.
- (c) In determining the remuneration package for a Senior Officer of the Council, the Service Director, HR and Organisational Development will apply the Council's pay and grading structure which takes account of the Local Government Employers Senior Officer Job Evaluation Scheme alongside appropriate benchmarking of similar roles within the region. The Service Director, HR and Organisational Development is authorised to discharge all functions relating to Senior Officer Terms and Conditions including grading appeals.
- (d) The Service Director, HR and Organisational Development is responsible for

issues related to pension matters after receiving advice on any financial aspect of this matter from the Chief Finance Officer.

- (e) The Service Director, HR and Organisational Development is authorised to agree changes to establishments including those which:
  - (i) requires deletion of a post through redundancy or early retirement;
  - (ii) involves the regrading of posts or the grading of new posts;
  - (iii) involves changes to existing National or Local Agreements and policies;

These decisions are subject to the prior notification of prior consultation with appropriate parties affected by the decision, including the Trade Unions.

- (f) Decisions in respect of restructures controlled by 7.1 (iii) (c) above are subject to consultation with the Service Directors and where appropriate with the Chief Legal Officer
- (g) Proposals which involve additional Council expenditure outside officer delegations or which involve issues outside existing Council policy will be referred to the Council or the Cabinet.
- (h) Fundamental corporate restructures should be referred to the Council or the Cabinet. Where such proposals affect staff terms and conditions of service, the matters are delegated to the Service Director, HR and Organisational Development.
- (i) To approve any revisions to the Council's Concessionary Bus Travel Scheme Policy in consultation with the Portfolio Holder for Resources. (Cabinet 18 April 2017)
- (j) To hold on deposit the list of politically restricted posts.
- (k) Service Director, HR and Organisational Development has managerial responsibility for the communications, engagement and marketing functions.

(iv) **Service Director, Technology and Digital Transformation**

- (a) The Service Director, Technology and Digital Transformation is authorised to discharge any function of the Council or Cabinet regarding the authority's role in relation to the services under his/her jurisdiction, with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the matter should be referred to Cabinet for consideration.
- (b) The Service Director, Technology and Digital Transformation has managerial responsibility for the following services:- technical, systems, projects and programmes, business engagement and intelligence and change.

## 7.2 **Adults and Health Directorate**

### **(i) Director of Public Health**

- (a) To discharge the responsibilities for Public Health within Wakefield in accordance with the requirements of the Health and Social Care Act 2012 and the NHS Act 2006 and other legislation. Overall responsibility for all services and issues concerning Public Health and for professional advice to the Leader, Cabinet, and Council as the statutory Director of Public Health (including exercising the duties and functions set out in the statutory guidance for Director of Public Health). Representing the Council on partnership and external bodies including membership of the Child Death Overview Panel, Health and Well Being Board and the Local Health Resilience Forum.
- (b) The following are also delegated to the Director of Public Health as the designated statutory Director of Public Health (including all the duties and functions of that post);
- (i) To take responsibility for the management of the Council's Public Health Services, with professional responsibility and accountability for their effectiveness, availability and value for money.
  - (ii) To represent the Council on partnership, external bodies such as the Health and Wellbeing Board and the Child Death Overview Panel.
  - (iii) To contribute to and influence the work of the NHS Commissioners, ensuring a whole system approach across the public sector and ensuring NHS commissioners receive the public health advice they need.
  - (iv) To provide leadership, expertise and advice to Senior Officers and Elected Members on a range of issues from outbreaks of disease and emergency preparedness through to improving local people's access to health services.
  - (v) To provide Elected Members, Senior Officers and the public with expert, objective advice on health matters.
  - (vi) To promote action across the life course, working together with council colleagues (Corporate Directors) and with NHS colleagues.
  - (viii) To work with local Criminal Justice Partners and the Police and Crime Commissioner to promote safer communities, including cooperating with the police, the probation service and the prison service to assess the risk posed by violent or sexual offenders.
- (viii) Under the NHS Act 2006 and the Health & Social Care Act 2012, to discharge any functions in relation to the corporate public health duties of the Council including responsibility for writing the annual report on the health of the local population. (The Council has a duty to Publish this report under section 73B (5) & (6) of the 2006 Act and Section 31 of the 2012 Act).

- (ix) Under Section 73A(1) of the 2006 Act (inserted by section 30 of the 2012 Act);
- To undertake duties to take steps to improve public health;
  - To undertake such other public health protection or health improvement functions that the Secretary of State delegates to Local Authorities either by arrangement or under regulations - these include services mandated by regulations under Section 6C of the 2006 Act Inserted by section 18 of the 2012 Act;
  - To respond as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications;
  - To provide Healthy Start Vitamins (under the Healthy Start and Welfare Food Regulations 2005 ) for maternity or child health clinics;
  - To consult and make decisions on Fluoridation Schemes.
- (x) Under section 6C of the NHS Act 2006;
- To ensure appropriate access to sexual health services
  - To take responsibility for the National Child Measurement Programme
  - To take responsibility for the NHS Health Check Assessment
- (xi) To oversee the NHS screening programmes, both cancer and non-cancer, ante-natal and children's screening programmes, ensuring the health of the population is adequately protected and raising issues and concerns appropriately at the Health and Wellbeing Board.
- (xii) To oversee the NHS immunisation programmes including children 0-5 years, HPV and seasonal flu and any other issues that the Secretary of State instructs, including catch up programmes, raising issues and concerns appropriately.
- (xiii) To discharge the Council's responsibilities in relation to communicable and infectious diseases, including healthcare acquired infections.
- (xiv) Implementing or determining, subject to any rights of review or appeal which may apply, all matters concerning the Statutory Public Health complaints procedure.
- (xv) Setting, varying and recovering charges in respect of certain steps taken in the exercise of health improvement duties.
- (xvi) To act as the Council's Caldicott Guardian to be responsible for overseeing all procedures that affect access to person-identifiable information arising from the Caldicott Report.
- (b) The Director of Public Health is authorised to discharge any function of the Council or Cabinet in relation to the services under which his/her jurisdiction with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority not be exercised and that the matter should

be referred to the Cabinet for consideration.

(ii) **Service Director, Adult Social Care - Older People and Physical Disabilities**

- (a) The Service Director, Older People and Physical Disabilities is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.
- (b) The Service Director, Adult Social Care - Older People and Physical Disabilities has managerial responsibility for the following services:- adult social care, assessment and care management, adult social care provision services, business strategy and transformation.

(iii) **Service Director, Adult Social Care - Mental Health and Learning Disabilities**

- (a) The Service Director, Adult Social Care - Mental Health and Learning Disabilities is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.
- (b) The Service Director, Adult Social Care - Mental Health and Learning Disabilities has managerial responsibility for the following services:- adult social care, learning disabilities, mental health, strategy, workforce and transformation.

**7.3 Children and Young People Directorate**

**(i) Education and Inclusion**

- (a) The Service Director, Education and Inclusion is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.
- (b) The Service Director, Education and Inclusion including has managerial responsibility for the following services:- school strategy and performance, inclusion and assessment, music service, Virtual Headteacher for CIC and services for children and young people with special educational needs and disabilities (SEND), skills and standards of attainment and achievement from Early Years to 18+.

**(ii) Service Director, Children’s Partnerships, Strategy and Innovation**

- (a) The Service Director, Children’s Partnerships, Strategy and Innovation is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.
- (b) The Service Director, Children’s Partnerships, Strategy and Innovation has managerial responsibility for the following services:- youth justice and youth work services, troubled families, children’s commissioning, integrated early help for children and families, early intervention, partnerships planning and transformation including the Children and Young People’s Partnership, inclusion and assessment

**(iii) Service Director, Social Care**

- (a) The Service Director, Social Care is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.
- (b) The Service Director, Social Care has managerial responsibility for the following services:- safeguarding of children and young people, learning and quality, children in care and corporate parenting, safeguarding and standards, support and fostering, care, leaving care and emotional wellbeing, placements, localities and MASH, locality safeguarding and Front Door.

**7.4 Regeneration and Economic Growth Directorate**

**(i) Service Director, Planning, Transportation and Strategic Highways**

- (a) The Service Director, Planning, Transportation and Strategic Highways is authorised to discharge any function of the Council or Cabinet regarding the authority’s role in relation to the services under his/her jurisdiction, with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the matter should be referred to Cabinet for consideration.
- (b) The Service Director, Planning, Transportation and Strategic Highways has managerial responsibility for the following services:- development management, building control, planning and transportation policy.



- (c) Within the statutory consultation period for any planning application, a local Ward Member may request that the Chair and Deputy Chair refer a planning application within their Ward for decision by Committee, rather than by Officer Delegation where the proposal raises a material Planning issue which is of community interest in their own Ward. The request shall be set out in writing and provide the planning reason(s) for the request. The Member requesting the referral is required to attend and address Committee on the reasons for referral.
- (d) All major applications will be referred to the Planning & Highway Committee that have either: significant representations contrary to the recommendation; or the recommendation is not in overall accordance with the Development Plan, national planning policy or the Council's own planning guidelines.
- (e) Resubmitted applications which have previously been refused by the Council and, or dismissed at appeal cannot be referred to Planning and Highways Committee. Unless the resubmitted application is materially/substantially different or there have been apparent local or national policy changes since the previous Council decision. The application will be subject to review with the Chair/Deputy Chair of Planning.
- (f) Late requests from Members for the referral of an application to Planning and Highways Committee which would result in an out of time decision will be subject to review and the agreement of the Chair/Deputy Chair of the Planning and Highways Committee.
- (g) The Localism Act 2011 – Neighbourhood Planning.
  - 1(a) That Neighbourhood Planning decisions be delegated to the Planning and Highways Committee, which consider advice from all relevant Council services when making decisions;  
  
Planning applications submitted within a Neighbourhood Plan area will be subject to 7.4 (i) (a) and (c) of this Officer Scheme of Delegation.
  - 1(b) That decisions about the technical advice and support to be offered to communities be delegated to the Service Director for Planning Transportation and Strategic Highways;
  - 2(a) That the Service Director for Planning, Transportation and Strategic Highways prepares a report for the Planning and Highways Committee for each neighbourhood planning application (i.e. an application to be a neighbourhood forum, a formal approach to prepare a neighbourhood plan, a request for a neighbourhood development order or a community right to build order) which will consider its nature, scope, and resource implications.
- (h) The Service Director for Planning, Transportation and Strategic Highways is

delegated to deal with the following matters:-

- Deal with **all** matters under the Town and Country Planning Act 1990 (as amended) and the Planning Listed buildings and Conservation Areas Act 1990
- Deal with **all** enforcement action under all relevant planning and highway legislation including common land.
- Deal with all Building Control matters including but not restricted to
  - Building Act 1985
  - Public Health Act 1925
  - Local Government Act 2003
  - Localism Act 2011
- Deal with all matters relating to the Community Infrastructure Levy (charged in accordance with section 205 of the Planning Act 2008), under the Community Infrastructure Levy Regulations 2010, as amended.
- Authorise Officer(s) to enter land for the purposes set out in regulation 109 of the Community Infrastructure Levy Regulations, as amended or under any subsequent amendment thereof.
- Deal with **all** Highways and Network Management matters including, but not restricted to:
  - Traffic Management Act 2004
  - Highways Act 1980
  - Road Traffic Regulations Act 1984
  - Transport Act 1965/68
  - Public Health Act 1925
  - Public utilities Act 1950
  - New Roads and Street Works Act 1991
  - Wildlife & Countryside Act 1981
  - Public Rights of Way Act 1990
  - Countryside & Rights of Way Act 2000
  - Flood & Water Management Act 2010
  - Land Drainage Act 1991
  - Reservoirs Act 1975
  - Local Government Act 1985

(i) To approve individual schemes within the Integrated Transport (2019-2022) programme in consultation with the Portfolio Holder for Transport and Highways.  
(Cabinet – 9 July 2019)

**(ii) Service Director, Art, Culture and Leisure**

(a) The Service Director, Art, Culture and Leisure is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the

exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.

- (b) The Service Director, Art, Culture and Leisure has managerial responsibility for the following services:- culture, sport and health improvement, markets, libraries and museums and programme and service development.
- c) To improve the viability of the Council's markets, the Service Director, Art, Culture and Leisure has delegated authority to authorise the targeted recruitment of specific product lines and the discretion to offer enhanced support packages for these traders. Cabinet (14 January 2020).
- (d) To apply for and accept grant offers to contribute towards the cost of the construction of the Five Towns Leisure & Wellbeing Hub and to negotiate and conclude the terms and conditions of any such further grant funding agreements and complete the grant funding agreements as may be necessary, together with any further legal agreements required by the Charity to enable it to accept the grant offers. Cabinet (2 April 2019)

(iii) **Service Director, Economic Growth and Skills**

- (a) The Service Director, Economic Growth and Skills is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.
- (b) The Service Director, Economic Growth and Skills has managerial responsibility for the following services:- skills and business, housing and regeneration and adult and community education.
- (c) The Service Director, Economic Growth and Skills Regulating is authorised in consultation with the Portfolio Holder for Regeneration and Economic Growth, to approve any changes to the formal notice charging fee structure, housing with multiple occupancy licence fee structure and the housing with multiple occupancy standards. Cabinet (10 October 2017)
- (d) The Service Director, Economic Growth and Skills is authorised to implement decisions to deliver the Heritage Action Zone – Westgate Project in consultation with the Section 151 Officer and the Monitoring Officer, and the Portfolio Holder for Economic Growth and Regenerations, including the terms of the grant funding agreement for Historic England's Historic Streets Heritage Action Zone. Cabinet (14 January 2020).

## 8.5 Communities, Environment and Climate Change Directorate

### (i) Service Director, Environment and Streetscene

- (a) The Service Director for Environment and Streetscene is authorised to discharge any function of the Council or Cabinet regarding the authority's role in relation to the services under his/her jurisdiction, with the exception of those matters where an appropriate Cabinet Member has directed that the delegated authority should not be exercised and that the matter should be referred to Cabinet for consideration.
- (b) The Service Director for Environment and Streetscene has managerial responsibility for the following services:- climate change, strategic waste, street scene services; environmental health; bereavement services, transport services, highways network management, emergency planning and health and safety.
- (c) The Service Director for Environment and Streetscene is delegated to deal with Environmental Health functions and may further delegate all or any these functions, within the terms of the Council's Constitution and Officer Delegation Scheme, including delegating authority to make decisions and use statutory powers, to such other competent officers as he/she considers appropriate for the effective and efficient operation of the Environmental Health Function.
- (d) The Environmental Health Function includes, but is not limited to, exercising the functions, duties and powers of the statutes listed below, or specified parts thereof, including any amendments made to, and Regulations, Orders or Bylaws made under those statutes and such other related legislation made under the European Communities Act 1972 or successor legislation under the European Union (Withdrawal) Act 2018.

<b>Function EH1: Animal Health &amp; Welfare</b>			
<b>Statute</b>	<b>Function of:</b>	<b>Part 3 Responsibility for Function</b>	
		<b>Decision Making Body</b>	<b>Primary Officer Delegation</b>
<b>Animals Act 1971</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Animal Health Act 1981</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Animal Welfare Act 2006</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018</b>	Council	Licensing Committee (Regulatory & Appeals Sub-Committee)	CD, Regeneration & Economic Growth

<b>Dangerous Wild Animals Act 1976</b>	Council	Licensing Committee (Regulatory & Appeals Sub-Committee)	CD, Regeneration & Economic Growth
<b>Cattle Identification Regulations 2007</b>	Council	Licensing Committee (Regulatory & Appeals Sub-Committee)	CD, Regeneration & Economic Growth
<b>Horse Passports Regulations 2009</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Welfare of Farmed Animals (England) Regulations 2007</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Welfare of Racing Greyhounds Regulations 2010</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Zoo Licensing Act 1981</b>	Council	Licensing Committee (Regulatory & Appeals Sub-Committee)	CD, Regeneration & Economic Growth

<b>Function EH2: Food Safety</b>			
<b>Statute</b>	<b>Function of:</b>	<b>Part 3 Responsibility for Function</b>	
		<b>Decision Making Body</b>	<b>Primary Officer Delegation</b>
<b>The General Food Regulations 2004</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>The Food Information Regulations 2014</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Food Safety Act 1990</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Food Safety &amp; Hygiene (England) Regulations 2013</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>The Food Safety (Sampling and Qualifications) Regulations 2013</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Eggs and Chicks (England) Regulations 2009</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Natural Mineral, Spring Water and Bottled Drinking Water (England) Regulations 2007.</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>The Official Feed and Food Control (England) Regulations 2009</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>The Products of Animal Origin (Disease Control) (England) Regulations 2008</b>	Executive	Cabinet	CD, Regeneration & Economic Growth

<b>The Products of Animal Origin (Import and Export) (England) Regulations 1996</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Products of Animal Origin (Third Country Imports) (England) Regulations 2006 (as amended)</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>The Products Containing Meat etc. (England) Regulations 2014</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Registration of Establishments (Laying Hens) (England) Regulations 2003</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Salmonella in Turkey Flocks and Slaughter Pigs (Survey Powers) (England) Regulations 2006</b>	Executive	Cabinet	CD, Regeneration & Economic Growth

<b>Function EH3: Workplace Health, Safety and Welfare</b>			
<b>Statute</b>	<b>Function of:</b>	<b>Part 3 Responsibility for Function</b>	
		<b>Decision Making Body</b>	<b>Primary Officer Delegation</b>
<b>Health and Safety at Work etc. Act 1974</b>	Council	Licensing Committee	CD, Regeneration & Economic Growth
<b>Health and Safety (Enforcing Authority) Regulations 1998</b>	Council	Licensing Committee	CD, Regeneration & Economic Growth
<b>Sunday Trading Act 1994</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Working Time Regulations 1998</b>	Council	Licensing Committee	CD, Regeneration & Economic Growth

<b>Function EH4: Public Health Protection / Disease Control</b>			
<b>Statute</b>	<b>Function of:</b>	<b>Part 3 Responsibility for Function</b>	
		<b>Decision Making Body</b>	<b>Primary Officer Delegation</b>
<b>Animal By-Products (Enforcement) (England) Regulations 2013</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Animals and Animal Products (Import and Export) (England) Regulations 2006</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Building Act 1984</b> Part 3 Drainage and other matters relating to buildings Part 4: Duties and Powers	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Caravan Sites and Control of Development Act 1960</b>	Council	Licensing Committee	CD, Regeneration & Economic Growth

<b>Health Act 2006</b> Part 1: Smokefree Places	Council	Licensing Committee	CD, Regeneration & Economic Growth
<b>Health Protection (Local Authority Powers) Regulations 2010</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Health Protection (Part 2A Orders) Regulations 2010</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Local Government (Miscellaneous Provisions) Act 1976</b> S20 – Sanitary provision in places of Entertainment S35 – Removal of Obstructions from Private Sewers	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Local Government (Miscellaneous Provisions) Act 1982</b> Part 8 – Acupuncture, Tattooing etc. Part 11 – Public Health	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Prevention of Damage by Pests Act 1949</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Public Health (Control of Disease) Act 1984</b>	Council	Licensing Committee	CD, Regeneration & Economic Growth
<b>Public Health (Infectious Diseases) Regulations 1988</b>	Council	Licensing Committee	CD, Regeneration & Economic Growth
<b>Public Health Act 1936</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Public Health Act 1961</b> Part 2 – Sanitation of Buildings	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Sunbeds (Regulation) Act 2010</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Trade in Animals &amp; Related Products Regulations 2013</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Transmissible Spongiform Encephalopathies (England) Regulations 2010</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Zoonoses (Monitoring) (England) Regulations 2007</b>	Executive	Cabinet	CD, Regeneration & Economic Growth

<b>Function EH5: Environment and Community Protection</b>			
<b>Statute</b>	<b>Function of</b>	<b>Part 3 Responsibility for Function</b>	
		<b>Decision Making Body</b>	<b>Primary Officer Delegation</b>
<b>Anti-social Behaviour, Crime and Policing Act 2014</b> Part 4: Community Protection	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Clean Air Act 1993</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Control of Pollution Act 1974</b> Part 3 and Schedule 1: Noise Part 4: Atmospheric Pollution Part 5: Powers of Entry etc.	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>The Clean Neighbourhoods and Environment Act 2005</b> Part 7: Noise	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Environment Act 1995</b> Part 4 and Schedule 11: Air Quality Part 5 and Schedule 18: Powers of Entry etc.	Local Choice	Cabinet	CD, Regeneration & Economic Growth
<b>The Environmental Damage (Prevention and Remediation) (England) Regulations 2015</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Environmental Permitting (England and Wales) Regulations 2010</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Environmental Protection Act 1990</b> Part 2A: Contaminated Land  Part 3 and Schedule 3: Statutory Nuisance  Part 4 and Schedule 3A: Litter and Distribution of Free Printed Matter	Local Choice  Local Choice  Executive	Cabinet  Cabinet  Cabinet	CD, Regeneration & Economic Growth  CD, Regeneration & Economic Growth  CD, Regeneration & Economic Growth
<b>Noise Act 1996</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Noise and Statutory Nuisance Act 1993</b> Schedule 2: Consent to operate Loudspeakers in Streets	Local Choice	Cabinet	CD, Regeneration & Economic Growth
<b>Pollution Prevention and Control Act 1999</b>	Local Choice	Cabinet	CD, Regeneration & Economic Growth
<b>Private Water Supplies Regulations 2009</b>	Executive	Cabinet	CD, Regeneration & Economic Growth



<b>Water Industries Act 1991</b> Local Authority Functions in relation to Water Supply	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>West Yorkshire Act 1980</b>	Executive	Cabinet	CD, Regeneration & Economic Growth

<b>Function EH6: Other Generic Functions</b>			
<b>Statute</b>	<b>Function of</b>	<b>Part 3 Responsibility for Function</b>	
		<b>Decision Making Body</b>	<b>Primary Officer Delegation</b>
<b>Licensing Act 2003</b> Carrying out the Responsibility Authority functions for the protection of public safety and preventing public nuisance in relation to licensable activities.	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Regulatory Enforcement &amp; Sanctions Act 2008</b>	Executive	Cabinet	CD, Regeneration & Economic Growth
Part 2 – Co-ordination of Regulatory Enforcement (Primary Authority)	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Town and Country Planning Act 1990</b> Provision of advice and making representations to the Local Planning Authority in relation Local Plans, Policies and determining planning applications in respect of:  Air Quality Contaminated Land Noise and Neighbourhood Amenity	Executive	Cabinet	CD, Regeneration & Economic Growth
<b>Regulatory Enforcement and Sanctions Act</b>  <b>Wakefield MDC acting in its capacity as Primary Authority to West Yorkshire Joint Services clients</b>  Authority to enter into a Primary Authority Partnership with customers of West Yorkshire Joint Services on its behalf.	Executive	Cabinet	CD, Regeneration & Economic Growth
Non key spending decisions (in Area Action areas)	Executive	Cabinet	CD, Regeneration & Economic Growth

(e) **Primary Authority Contracts**

Succeeding the previous Joint Committee arrangements that had been in place since the abolition of the West Yorkshire County Council in 1986, West Yorkshire Joint Services was created in 1997 to act on behalf of the five West Yorkshire District Council's to undertake Archaeology, Archives and Trading Standards services. In accordance with the requirements of the Regulatory Enforcement

and Sanctions Act, West Yorkshire Joint Services do not meet the definition of a local authority under the Act.

As such Wakefield MDC is the local authority with responsibility for the Trading Standards function. As responsible authority, Wakefield is required to sign off contractually, Primary Authority contracts and assured advice for all Trading Standards functions, including, but not limited to duties of the Weights and Measure Authority (LWMA) in accordance with the requirements of the Weights and Measures Act 1985; Food and Feed Standards; Consumer Protection; Age Related Sales and all other statutory duties undertaken by West Yorkshire Joint Services.

- (i) To facilitate this the Corporate Director, Communities, Environment and Climate Change has delegated responsibility to deal with this function to the Service Director for Environment and Streetscene.
- (ii) To expedite matters, in accordance with the Council's Constitution and Officer Delegation Scheme, which enables functions delegated to the Chief Officer to be further delegated to an Officer of suitable experience and seniority, the Service Director, Environment and Streetscene has delegated responsibility to the **Environmental Health Manager** to make decisions and use relevant powers to undertake the following functions:-

***Wakefield MDC acting in its capacity as Primary Authority to West Yorkshire Joint Services clients***

- Authority to enter into a Primary Authority Partnership with customers of West Yorkshire Joint Services on its behalf.
- To sign off contractually, Primary Authority contracts and assured advice for all duties of the Weights and Measure Authority (LWMA) in accordance with the requirements of the Weights and Measures Act 1985, and all other statutory duties linked to the LWMA.

**(ii) Service Director, Communities**

- (a) The Service Director, Communities is authorised to discharge any function of the Cabinet/Council in relation to his/her service area, with the exception of those matters where an appropriate Cabinet Member or Council has directed that the delegated authority should not be exercised and that the matter should be referred to the Cabinet or Council for consideration.
- (b) The Service Director, Communities has managerial responsibility for the following services:- community development; area working and engagement; Community Safety Partnership; licensing and enforcement, homelessness service; vulnerable adults and customers.
- (c) The Service Director, Communities will determine applications made under the Localism Act 2011 regarding Assets of Community Value and will maintain

registers of successful and unsuccessful applicants.

### **Licensing**

- (1) All functions relating to licensing and registration within his/her service except that in relation to the grant, renewal, transfer, varying or suspension of licences permits or registrations, where validly made objections are not withdrawn or cannot be satisfactorily disposed, or where representations are made on behalf of an applicant which cannot be dealt with administratively, the Service Director may arrange for hearing and determination by the appropriate Committee.
- (2) Refuse to grant or renew, or revoke hackney carriage/private hire drivers' licences in circumstances where:
  - the Council's Medical Adviser considers the applicant/licence holder unsuitable on medical grounds; or
  - the applicant/licence holder has been disqualified from driving by the Courts.
- (3) Suspend hackney carriage/private hire drivers' or operators licences when concerns have been raised concerning their suitability as a hackney carriage/private hire license holder or operator. Suspend or revoke, refuse to grant or renew hackney carriage/private hire vehicle licences in circumstances where:-
  - (i) Statutory provisions have not been complied with; or
  - (ii) Conditions applicable to those licences have not been complied with; or
  - (iii) Defects are found rendering vehicles unroadworthy

Suspend private hire operator's licence for up to 28 days when deemed appropriate.

### **(iii) Corporate Landlord**

- (a) The Corporate Director, Communities, Environment and Climate Change is authorised to manage the Council's land and property portfolio in accordance with the Council's policies, except the following which require approval from Cabinet or an individual Member of Cabinet:

#### **Cabinet Decisions**

- Disposals of assets of civic importance;
- Disposal of assets at less than the best consideration that can reasonably be obtained;

- Those decisions normally delegated but where objections from two or more Members of the Council have been received;
- To grant a long term lease where the value of that asset exceeds £500,000.

### **Delegations to Cabinet Members**

- The sign off for all acquisition/disposal transactions valued at between £500,000 and £5,000,000. – **Cabinet Member - Resources** - *(via a Member Delegated Decision and the completion of a TR (Non Delegation Procedure).*
  - The sign off for all transactions valued at above £5,000,000. **The Leader of the Council** *(via a Member Delegated Decision and the completion of a TR (Non Delegation Procedure).* The Leader reserves the right to ask that the decision be made collectively by Cabinet
  - Approval of a lease for less than seven years even if for less than best consideration that can be obtained and the creation of a ‘Tenancy at Will’. **Cabinet Member, Resources** *(via a Member Delegated Decision)*
  - Approval of any lease/licence at less than best consideration to any partner agency, blue light service, registered charity or not for profit organisation that is working in partnership with Wakefield Council to aid in the delivery of its key/essential services. **Cabinet Member, Resources** *(via a Member Delegated Decision)*
  - New, and variations to existing, leases to Parish and Town Council’s at less than best consideration in circumstances where the Parish or Town Council, Community Association, Registered Charity and any Not for Profit organisation has taken over the liability for all repairs and outgoings during the term of the lease. **Cabinet Member, Resources** *(via a Member Delegated Decision).*
- (b) The Corporate Director, Communities, Environment and Climate Change being responsible for the management of the Council’s land and property assets is required to designate a Corporate Property Officer whose responsibility shall include maintaining a register of all transactions relating to the Council’s land (e.g. short term transaction form, transaction forms, delegated decisions etc.). The Corporate Director has delegated specific responsibilities to the Designated Property Officer and the Corporate Property and Estates Manager, as set out below:-
- The Service Manager, Corporate Landlord (Designated Property Officer) – approval to sign off previously agreed contracts up to £1m in consultation with the Cabinet Member, Resources by way of an Officer Delegated Decision. In the absence of the Designated Property Officer the approval would be undertaken by the Service Director, Environment and Streetscene.

- The Service Manager, Corporate Landlord (Designated Property Officer) – approval to sign for transactions up to and including £500k. In the absence of the Designated Property Officer the approval would be undertaken by the Service Director, Environment and Streetscene.
  - The Corporate Property and Estates Manager – approval to sign for transactions up to and including £250k.
- (c) The Service Manager, Corporate Landlord has managerial responsibility for the following services:- corporate landlord, asset management, property and to act as Contract Manager for the Property and Facilities Management Project Agreement and Framework Agreement.

## **8. Emergency Arrangements for Sub-Delegation of Functions**

- 8.1 Directors have delegated responsibility in relation to Council and Executive functions set out in the Constitution and the Scheme of Delegation. In turn they can sub-delegate those functions through the provisions of their sub-delegation scheme.
- 8.2 In the event of the absence of all relevant Officers with sub-delegated authority in relation to a matter, responsibility for discharge of that function reverts back to the relevant Director or Chief Executive.
- 8.3 In exceptional circumstances which require business continuity arrangements to be enabled, such as a pandemic situation where it is anticipated that a significant amount of staff will be absent from work, absence provisions in Directorate sub-delegation arrangements may become inoperable. In such circumstances the following delegation be utilised:-

*‘Strictly in exceptional circumstances, such as a global pandemic, where Officers with the requisite delegations are incapacitated or absent, functions may be exercised by any Officer within the Council with suitable experience and seniority who has been appropriately briefed and has sufficient understanding of the matter to be decided.’*

- 8.4 In the event of decisions being taken by Officers not otherwise authorised under a relevant sub-delegation scheme, the report supporting the necessary decision should explain the circumstances and make clear that the Officer is acting under this provision, that they have been appropriately briefed, and that they do have sufficient understanding of the matter to be able to take the decision. A record of the decision must be maintained in relation to any decisions taken under this urgency delegation and forwarded to the Governance Manager who will report the use of the powers in his annual assurance report to the Audit and Governance Committee in relation to decision making.

## 9. Secondary Employment

- 9.1 Service Directors may authorise employees to take up secondary employment subject to the exigencies of the service, and providing there is no conflict of interest and in accordance with policy and West Yorkshire Fund requirements.

## 10. Proper Officer Functions

- 10.1 The following officers are appointed as Proper Officers in accordance with the provisions of the Local Government Act 1972 Section 270(3) and other Acts for appointments of "Proper Officers of the Council". Proper Officers will carry out functions in relation to the statutory functions specified. and the matters delegated to those officers are as follows:

<b>STATUTE AND FUNCTION</b>	<b>PROPER OFFICER</b>
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### **REPRESENTATION OF THE PEOPLE ACT 1983**

Section 8 - The Electoral Registration Officer for the registration of Parliamentary and Local Government Electors	Chief Executive
Section 28 - The Acting Returning Officer at an election of a Member of Parliament	Chief Executive
Section 35 - Returning Officer for the election of Councillors of the District and for election of Councillors of Parishes within the District	Chief Executive

### **THE PARISH AND COMMUNITY MEETINGS (POLLS) RULES 1983**

Returning Officer for the purpose of a Parish Poll	Chief Executive
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### **RECALL OF MP'S ACT 2015**

Section 6 – Petition Officer in relation to a recall petition	Chief Executive
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## LOCAL GOVERNMENT ACT 1972

Section 13 - (Parish Trustee): To act as Parish Trustee	Chief Legal Officer
Section 42 - (Filling of casual vacancy in case of Parish Councillor). To receive notice in writing of a request for an election on casual vacancy occurring in the office of a Parish Councillor	Chief Executive
Section 83 - (Declaration and Acceptance of Office): To accept the declaration of office of Mayor, Deputy Mayor or Councillors from persons elected to such offices, and before whom a declaration of the acceptance of office may be made.	Chief Executive / Chief Legal Officer / Governance Manager
Section 84 - (Resignation): To accept written notice of resignation from persons holding office as Mayor, Deputy Mayor or Councillor having been elected to such office.	Chief Executive
Section 86 – To declare any vacancy in any Office under this section.	Chief Executive
Section 88 - (Filling of Casual vacancy in case of Mayor): To call a meeting of the Council for the purpose of electing a Mayor following a casual vacancy in that Office.	Chief Legal Officer
Section 89 - (Filling of Casual vacancies in the case of Councillors): To accept notice in writing from two local government electors of a casual vacancy occurring in the Office of Councillor	Chief Executive
Section 96 – The Officer to whom general notices and recording of disclosures of interests under Section 94 should be given	Chief Legal Officer

Section 99 and Schedule 12 – To give notice and send summonses in respect of any Council meeting.	Chief Executive
Section 100A(6) – To give public notice of any meetings to which the public are entitled to attend, provide copies of agenda and facilities for the press.	Chief Executive
Section 100B– (2) - Exclusion from Public Inspection of reports relating to items during which meeting is not likely to be open to the public	Chief Executive / Chief Legal Officer / Governance Manager
Section 100 B (1) - Supply of papers to the press	Chief Executive / Chief Legal Officer / Governance Manager
Section 100 C– (2) - Written summary of minutes where necessary	Chief Executive / Chief Legal Officer / Governance Manager
Section 100C (2) – The Officer to prepare a written summary of proceedings of committees, sub-committees, Council or the Cabinet from which the public were excluded.	Chief Executive
Section 100D (1)(a) – The Officer to prepare a list of background papers for reports considered by committees, sub-committees, Council or the Cabinet: Each Corporate Director for their Service's reports.	Chief Executive / Corporate Director
Section 100D (5)(a) - Identification of background papers: Each Corporate Director for their Service's reports	Chief Executive / Corporate Director
Section 100F – The Officer to determine which documents are not, by virtue of containing exempt information, required to be open to inspection.	Chief Executive / Chief Legal Officer / Governance Manager
Section 100G – To maintain a register of the names and addresses of Members and membership of Committee's, lists of delegations etc.	Monitoring Officer



Schedule 12 - (Meetings and Proceedings of Local Government Authorities): To sign a Summons to attend a Council Meeting.	Chief Executive / Monitoring Officer/ Governance Manager
Schedule 16 of the Local Government Act 1972 (Matters relating to Town and Country Planning): To receive on deposit lists of protected buildings.	Chief Executive / Chief Legal Officer / Governance Manager
Section 115 (Accountability of Officers): To receive all money due to the Council from every officer employed by the Council.	Chief Finance Officer
Section 146 (Transfer of Securities on alteration of Area): To make certain statutory declarations and give certain certificates relating to securities on the alteration of the name or area of the Council.	Chief Finance Officer
Section 151 - Officer responsible for proper administration of financial affairs (and to issue a report to Members if there is likely or is likely to be unlawful expenditure or an unbalanced budget)	Chief Finance Officer
Section– 210 - (Charities): To exercise the powers in relation to a Charity when the corresponding officer in whom such powers are invested is absent and to act as Charity Trustee in absence of corresponding officer.	Chief Legal Officer
Section 214(3) and Article 9 of the Local Authorities' Cemeteries Order 1974 - To grant exclusive rights of burial and sign the necessary certificate	Service Director, Environment & Streetscene
Section 223 – Authorising Officers to attend court and appear on behalf of the Council under the Local Government Act 1972 and the County Courts Act 1984.	Chief Legal Officer
Section 225 - (Deposits of documents with Proper Officer of Authority): To receive or deposit documents to which this Section applies	Chief Legal Officer

Section 229 - (Photographic copies of documents): To certify any photographic copy of an original document held by the Council or of a document which has been destroyed whilst in the custody of the Council.	Chief Legal Officer
Section 233 – The Officer to receive documents required to be served on the authority.	Chief Legal Officer
Section 234 - (Authentication of Documents): To sign on behalf of the Council any notice, order or other document which the Council are authorised or required to make.	Chief Executive / Chief Legal Officer / Governance Manager
Section 236 - (Bye-Laws): To send copies of the Bye-Laws made by the Council to various bodies	Chief Legal Officer
Section 238 - (Evidence of Bye-Laws): To certify a printed copy of a Council Bye-Law	Chief Legal Officer
Section 248 - (Freemen): Officer responsible for keeping the Roll of the Freemen	Chief Legal Officer
To act as proper officer for the Registration Services (Births, Deaths and Marriages).	Chief Legal Officer

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976**

Section 41 - to certify copy resolutions, orders, reports and minutes and copy instruments appointing officers to perform certain functions	Chief Legal Officer
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**LOCAL GOVERNMENT AND HOUSING ACT 1989**

Section 2 – The Officer to hold on deposit the list of politically restricted posts.	Service Director, HR and Organisational Development.
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Section 5 – Person to act as Monitoring Officer	Chief Legal Officer
Section 15 – 17 (And regulations made thereunder) – The officer to receive notices relating to the membership of political groups.	Chief Legal Officer

### **LOCAL GOVERNMENT ACT 2000**

The Officer responsible for ensuring a proper record is made of Cabinet decisions and that the document comprising the authority's Forward Plan is published.	Chief Executive
Section 81 - To establish and maintain the Members Register of Interest and ensure it is available for public inspection.	Chief Legal Officer
To ensure that copies of the Constitution are available for inspection.	Chief Legal Officer
To make payments of relevant allowances in accordance with the Council's Members Allowances Scheme	Chief Legal Officer

### **BUILDING ACT 1984**

Section 78 - To take emergency action in relation to dangerous buildings and structures	Corporate Director, Regeneration and Economic Growth
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### **CIVIL EVIDENCE ACT 1995**

To certify Council records for the purposes of admitting the document in evidence in civil proceedings.	Chief Legal Officer
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## **LOCAL GOVERNMENT AND FINANCE ACT 1988**

Section 114 – The Officer to be responsible for the proper administration of the authority’s financial affairs (and to issue a report to Members if there is or is likely to be unlawful expenditure or an unbalanced budget)	Chief Finance Officer
Section 116 – Notification to the Council’s auditor of any meeting to be held under Section 115 of the 1988 Act (meeting to consider any report of the Section 151 Officer under Section 114)	Chief Finance Officer
Section 139A – Provision of Information to the Secretary of State in relation to the exercise of his/her powers under this Act as and when required.	Chief Finance Officer

## **LOCAL GOVERNMENT AND FINANCE ACT 2012**

Section 10 (Sub -Section 13A (1)(c) - (Billing Authority's power to reduce amount of tax payable)	Chief Finance Officer
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## **OTHER MISCELLANEOUS PROPER OFFICER FUNCTIONS**

Any other miscellaneous proper or statutory officer functions not otherwise delegated to the authority.	Chief Executive or his / her nominee
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## **FOOD ACT 1884**

Section 28 - Prevention of spread of disease by ice cream.	Corporate Director, Communities, Environment and Climate Change
Section 31 - Inspection and control of infected food	Corporate Director, Communities, Environment and Climate Change

## **PUBLIC HEALTH ACT 1936**

Section 79 - Power to require removal of noxious matter by the occupier of premises.	Corporate Director, Communities, Environment and Climate Change
Section 84 - Cleansing or destruction of filthy or verminous articles	Corporate Director, Communities, Environment and Climate Change

## **PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984**

Section 18 - Information to be furnished by occupier in case of notifiable disease or food poisoning	Director of Public Health
Section 20 - Stopping off work to prevent spread of disease	Director of Public Health
Section 21 - Exclusion from school of child liable to convey notifiable disease	Director of Public Health
Section 22 - List of day pupils at school having case of notifiable disease	Director of Public Health
Section 29 - Letting of house or room after recent case of notifiable disease	Corporate Director, Regeneration and Economic Growth
Section 31 - Disinfection of premises	Director of Public Health
Section 32 - Removal of person from infected house	Director of Public Health
Section 36 - Medical examination of group of persons believed to comprise carrier of notifiable disease	Director of Public Health

Section 40 - Medical examination of inmates of common lodging-house	Director of Public Health
Section 42 - Closure of common lodging-house on account of notifiable disease	Director of Public Health
Section 43 - Person dying in hospital with notifiable disease	Consultant in Public Health Medicine/ Consultant in Public Medicine (Communicable Disease Control) / Director of Public Health
Section 48 - Removal of body to mortuary or for immediate burial	Consultant in Public Health Medicine/ Consultant in Public Medicine (Communicable Disease Control) / Director of Public Health
Section 59 - Authentication of documents	Director of Public Health

**NATIONAL ASSISTANCE ACT 1948**

Section 47 - Removal of person from home in person's own interests or to prevent injury to other persons	Consultant Geriatrician
Section 1 of the National Assistance (Amendment) Act 1951 - Removal of person from home in person's own interests or to prevent injury to other persons (Emergency Procedure).	Consultant Geriatrician

## NATIONAL HEALTH SERVICE ACT 2006

Section 2B – the exercise by the authority of its duty to take steps as it considers appropriate for improving the health of people in its area.	Director of Public Health
Section 111 - the exercise by the authority of any functions prescribed by the Secretary of State in relation to dental public health.	Director of Public Health
Section 249 - the exercise by the authority of its duty to cooperate with the prison service with a view to improving the exerciser of their respective functions in relation to securing and maintaining the health of prisoners.	Director of Public Health
Schedule 1 - the exercise by the authority of its functions as set out in Schedule 1.	Director of Public Health
Section 6C(1) - the exercise by the authority of any of the Secretary of State’s public health functions, which it is required to carry out by regulations issued by the Secretary of State.	Director of Public Health
Section 7A - the exercise by the authority of any of the Secretary of State’s public health functions, which are delegated to it by the Secretary of State.	Director of Public Health
Section 73(1)(d) - the exercise by the authority of any of its functions that relate to planning for, or responding to, emergencies involving a risk to public health.	Director of Public Health
Section 73(1)(e) - the exercise by the authority of its functions under section 325 Criminal Justice Act 2003 (co-operating with “responsible bodies” in relation to the assessment of risks posed by certain offenders).	Director of Public Health
Section) - the exercise by the authority of any of such other functions relating to public health as may be prescribed.	Director of Public Health

**TOWN AND COUNTRY PLANNING ACT 1990**

Section 215 - Waste Land	Corporate Director, Regeneration and Economic Growth
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Annual Contract Value	Contract Procedure Rules	Approval
<p>£0 - £25k (gross full year effect) Non Key Decisions</p>	<ul style="list-style-type: none"> <li>• CPR's in general do not apply to contracts with a value of less than £25k.</li> <li>• In house Council partnership arrangements and established corporate contracts have a duty to comply with the Duty of Best Value (CPR 2.6)</li> <li>• Purchases should wherever possible be placed with Wakefield District based suppliers</li> <li>• Authorised Officer must retain a file note outlining the process undertaken and justification for the decision to award work to a given contractor. (good practise to obtain a written quotation)</li> <li>• <b>Details of all contracts awarded over £5k must be reported to the Corporate Procurement Team using pro-forma template.</b> (Local Government Transparency requirements). 'Contract Award Pro-forma' includes the rationale why the contract complies with the Duty of Best Value and if applicable why a Wakefield District supplier has not been used.</li> <li>• This information is captured on the Council's centralised contracts register.</li> <li>• The rules above also refer to the use of Consultants and/or Advisers if the contract value is less than £25k.</li> </ul>	
<p>£25,001 - £99,999 (gross full year effect) Non Key Decisions</p>	<ul style="list-style-type: none"> <li>• <b>Route to Market Assessment</b> to determine the most appropriate procedure is undertaken and signed by the Service Manager CPT and client Service Manager ( procurement / legal and financial implications included).</li> <li>• Should any of the following risks relevant to the project be identified - a member of the Corporate Procurement Team must be consulted <b>immediately</b> (TUPE, Asset Transfer, Personal Data Collection or Processing, ICT)</li> <li>• Type of Procedure to be undertaken :             <ul style="list-style-type: none"> <li>• <b>Restricted tender</b> - You must invite a minimum of 3 Contractors to submit a tender. There is no upper limit on the number of Contractors that can be invited. A minimum of 2 Contractors, wherever possible, from the Wakefield District to submit a tender through YORtender. You must be confident that bids will be received from the Contractors invited, based on earlier market consultation.</li> <li>• <b>Open Tender</b> - you must ensure the Contract is let on a competitive basis which is advertised to the open market through YORtender and on Contracts Finder.</li> <li>• <b>Framework Agreement / DPS / other Collaborative Arrangement</b> - Before undertaking a call-off under any Framework Agreement or DPS or accessing any other collaborative arrangement that has been setup by another Contracting Authority, thorough due diligence should be undertaken and advice sought from the Corporate Procurement Team and the City Solicitor's Office to confirm it is able to be used and whether it is appropriate to use it.</li> </ul> </li> <li>• Following the evaluation process a due diligence process must be undertaken.</li> <li>• A Tender Evaluation Report is produced. Approved by Service Manager CPT and client Service Manager (and any other relevant Chief Officers)</li> <li>• Legal Services to produce terms and conditions.</li> </ul>	<p><b>The awarding of the contract is to be undertaken via an Officer Delegated Decision signed by the relevant Service Director undertaking the procurement.</b></p> <p><b>The Committee Services Team will include the decision on the Officer Delegated Decision Register which is published on the Council's website.</b></p>

<p>£100k to £249,999 (gross full year effect) Non Key Decisions</p>	<p><b>High Value Procurements</b></p> <ul style="list-style-type: none"> <li>• The appropriate Cabinet Member is to be informed by the procuring Service Manager of the procurement exercise (at their Cabinet Member Briefing).</li> <li>• Procurement Business Case produced containing Risk Log, Stakeholder and Communication Plan and an assessment of the different routes to the market.</li> <li>• A formal competitive process is advertised to the market through the YORtender portal and on Contracts Finder open to any/all bidders or a call off from a framework.</li> <li>• Following the evaluation process a due diligence process must be undertaken.</li> <li>• A Tender Evaluation Report is produced. The report must be approved by the client Service Manager and the Chief Finance Officer (and any other relevant Chief Officers) having first being referred in the first instance to the Corporate Procurement Team for an overview.</li> <li>• Legal Services to produce terms and conditions.</li> <li>• CPT must be consulted at all stages in all above threshold procurements</li> </ul>	<p><b>The awarding of the contract to be undertaken via an Officer Delegated Decision signed by the relevant Corporate Director / Service Director undertaking the procurement.</b></p> <p><b>The Committee Services Team will include the decision on the Officer Delegated Decision Register which is published on the Council's website.</b></p>
<p>Above £250k (gross full year effect) Key Decisions</p>	<p><b>High Value Procurements</b></p> <ul style="list-style-type: none"> <li>• <b>Cabinet</b> will receive reports regarding proposed expenditure on key decisions on specific contracts (whether by framework or not) in order to approve undertaking market consultation and approving delegations for actions thereafter prior to any commitments being made.</li> <li>• As a key decision the report must be included on the Executive Leaders Forward Plan of Key Decisions which is published monthly by the Committee Services Team.</li> <li>• Procurement Business Case produced containing Risk Log, Stakeholder and Communication Plan, an assessment of the different routes to the market and the procedure selected alongside justifications for the time limits set.</li> <li>• All tenders above the EU threshold must be advertised in the Official Journal of the European Union (OJEU).</li> <li>• A formal competitive process is advertised to the market through the YORtender portal and on Contracts Finder open to any/all bidders or a call off from a framework.</li> <li>• A Tender Evaluation Report is produced. The report must be approved by the client Service Manager and the Chief Finance Officer (and any other relevant Chief Officers) having first being referred in the first instance to the Corporate Procurement Team for an overview.</li> <li>• Legal Services to produce terms and conditions.</li> <li>• CPT must be consulted at all stages in all above threshold procurements</li> </ul>	<p><b>In accordance with the delegations approved by Cabinet.</b></p> <p><b>The awarding of the contract to be undertaken via an Officer Delegated Decision signed by the relevant Corporate Director or Service Director undertaking the procurement in accordance with the delegation as agreed by Cabinet.</b></p> <p><b>The Committee Services Team will include the decision on the Officer Delegated Decision Register which is published on the Council's website.</b></p>

\* Given that the Procurement Business Case contains all required information that would be included in an Officer Delegated Decision Notice a generic form will be produced.

## Key Decisions

### Article 13 of the Council's Constitution

Key decisions are an Executive (Cabinet) decision which falls within one or more of the following categories:-

- (i) any decision relating to the approval of or variation to the Council's budget or policy framework (which is reserved in the Council's Constitution for determination by Full Council following recommendation from the Cabinet) subject to the application of virement limits and authorised in year changes: or
- (ii) any decision that will result in income, expenditure or savings with a gross full year effect of £250,000 or greater **with the exception of:-**
  - a) decisions which are a direct consequence of implementing a previous key decision.
  - b) decisions where a further report will be submitted for approval of the proposal before the Council is committed to proceed.
  - c) disposal and acquisition of non-strategic land and property where the consideration does not exceed £1m.
  - d) Procurement of Public Health contracts that will result in income, expenditure or savings with a gross year effect of £500,000.
  - e) expenditure which is necessary to ensure day to day provision of appropriate goods and services (e.g. payment of energy bills, payments of staff, procurement of services) provided that such expenditure was in the contemplation of Members when the Budget was approved by Council.
- (iii) a decision which is likely to have a significant positive or negative impact (e.g. in environmental, physical, social or economic terms) on people living or working in communities in two or more wards, except that matters will not be key decisions simply because the result would be that work would be carried out in two or more wards (e.g. following approval of a district-wide programme of works).

### **CPR 17 – Exceptions**

2.1 The exception request process will now be completed for exceptions above £25k.

2.2 The reasons for requesting an exception are;

- a. Where the technical characteristics of the Goods are only compatible with an existing supply or installation, such that procurement of another product other than one available from the original Contractor would result in incompatibility and/or disproportionate technical difficulties. The duration of a Contract negotiated in accordance with this exception shall not exceed 3 years.
  - b. The procurement of a unique work of art or artistic performance.
  - c. Where competition is absent for technical reasons where no reasonable alternative or substitute exists.
  - d. Where competition is absent due to exclusive rights, including but not limited to intellectual property rights and copyright where no reasonable alternative or substitute exists.
  - e. Where the price of the Goods, Services or Works that are to be procured are controlled by statutory bodies, trade organisations or legislation and no reasonable satisfactory alternative is available.
  - f. Where the Contract is for the execution of work or the supply of goods or services that are required **so urgently**<sup>1</sup> that compliance with any competitive process prescribed by these CPRs cannot be achieved.
  - g. Where the Contract relates to Goods, Services or Works where the publication of documents detailing those requirements could reasonably be considered to prejudice security having considered the use of reasonable measures that would protect such security and allow the normal procurement process to be followed (e.g. the use of confidentiality agreements).
  - h. To allow for the continuation of contractual arrangements with a Supplier beyond the term of a Contract, in exceptional circumstances and where the duration of continued contractual arrangements is determined in accordance with the timescales required to complete a re-procurement or the decommissioning of the provision.
  - i. In any case where the Authorised Officer, acting reasonably, otherwise determines there can be no genuine competition.
  - j. An alternative, competitive process to that prescribed by CPR maybe approved for Contracts with a value between £25,000 and £181,301 subject to reasonable justifications for such a request.
  - k. The selection of a Supplier upon the instruction of a third party, providing all the funding is met by a third party.
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2.3 Exceptions to be signed off by the Relevant Service Director in consultation with the CFO.

Total Contract Values	Contract Procedure Rules	Approval
<p>£25,001 - £99,999 (gross full year effect) Non Key Decisions</p>	<ul style="list-style-type: none"> <li>As set out in 2.2 above</li> </ul>	<p>Support for exceptions, following appropriate procurement, legal and financial implications, is delegated to the Service Manager (Corporate Procurement).</p> <p>Approval of exceptions, via an Officer Delegated Decision, is a decision of the procuring services Service Director.</p> <p>The Committee Services Team will include the decision on the Officer Delegated Decision Register which is published on the Council's website.</p>
<p>£100k - £249,999 (gross full year effect) Non Key Decisions</p>	<ul style="list-style-type: none"> <li>As set out in 2.2 above</li> </ul>	<p>Support for exceptions, following appropriate procurement, legal and financial implications, is delegated to the Chief Finance Officer.</p> <p>Approval of exceptions, via an Officer Delegated Decision is a decision of the procuring service's Service Director.</p> <p>The Committee Services Team will include the decision on the Officer Delegated Decision Register which is published on the Council's website.</p>
<p>£250,000 and above (gross full year effect) Key Decisions</p>	<ul style="list-style-type: none"> <li>As set out in 2.2 above</li> </ul>	<p>Support for exceptions, following appropriate procurement, legal and financial implications, is delegated to the Chief Finance Officer.</p> <p>Approval of exceptions, via an Officer Delegated Decision is a decision of the procuring services Service Director in consultation with the relevant Portfolio Holder.</p> <p>The Committee Services Team will include the decision on the Officer Delegated Decision Register which is published on the Council's website.</p>

**\*Emergency Arrangements** - Strictly in exceptional circumstances, such as a global pandemic the Chief Finance Officer may authorise the relaxation of the authorisation and notification requirements within Contract Procedure Rules enabling decisions to be speedily exercised by managers (budget holders, commissioners, contract managers, etc) without delay. In a pandemic situation where Officers with the requisite delegations are incapacitated or absent, the Chief Finance Officer may authorise any Officer within the Council with suitable experience and seniority who has been appropriately briefed and has sufficient understanding of the matter to be decided, to take the necessary decision.