

**TABLE 2**

**DELEGATIONS TO THE CHIEF EXECUTIVE**

	<b>DELEGATION</b>	<b>OVERALL RESPONSIBLE BODY</b>
1	To be the Council's Head of Paid Service.	COUNCIL
2	Notwithstanding any other provision of this Constitution, after discussion, if practicable, with the Leader of the Council or the relevant Portfolio Holder and/or Chairman, as the case may be, to take action not involving a key decision as he deems to be necessary in matters requiring urgent consideration and which, because of the timescale involved, or the need to safeguard the interests of the County Council, cannot wait for the next following meeting of the Council, the Cabinet or Committee, as the case may be. Any action taken under this delegation shall be reported to the next meeting of the Council, Cabinet or Committee as necessary.	COUNCIL/CABINET
3	To appoint from time to time, for such duration and in such circumstances and subject to such conditions as the Chief Executive may specify, a Chief Officer to act as Deputy to the Chief Executive, such Deputy to have (when authorised to act) all the powers, duties and responsibilities of the Chief Executive as the County Council's Head of Paid Service. Notification of such appointment and its applicable duration, circumstances and conditions shall be given in writing by the Chief Executive to the Leader of the Council, and Director for Corporate Services .	COUNCIL
4	To be the Proper Officer and the County Council's Returning Officer for the purpose of the election of County Councillors and to undertake all the duties of those offices pursuant to the Representation of the People Act 1983, and the Local Government Act 1972.	COUNCIL
5	To give public notice of any vacancy in the office of Councillor pursuant to Sections 86 and 87 of the Local Government Act 1972.	COUNCIL
6	To approve and implement national and provincial pay awards, after consultation with the County Treasurer, as soon as possible after agreement and notification from the appropriate body, subject to any element of discretion being referred to the Cabinet for consideration.	COUNCIL
7	To decide exceptional cases and any question about the interpretation or administration of the County Council's Long Service Awards Scheme.	COUNCIL
8	In consultation with the Leader of the Council, to appoint (and/or remove) an officer(s) to act as the shareholder(s) and member of any company on behalf of the County Council.	COUNCIL

TABLE 3

**DELEGATIONS TO THE DIRECTOR FOR CORPORATE SERVICES**

	<b>DELEGATED POWER</b>	<b>OVERALL RESPONSIBLE BODY</b>
1.	To be the Council's Monitoring Officer	COUNCIL
	<b>LEGAL SERVICES</b>	
2.	To be the Proper Officer for any purpose for which the County Council has not designated another officer to be Proper Officer.	COUNCIL
3.	In consultation with the relevant Director(s), to make amendments to the Scheme of Sub-Delegations to reflect future changes in organisational structures, working practices, and future changes in relevant legislation and regulations.	COUNCIL
4	To be (along with the County Treasurer) the County Council's authorised officer for the purpose of giving certificates under the Local Government (Contracts) Act 1997. <i>* The County Council has indemnified the Director for Corporate Services and the County Treasurer against any claims made against them (including costs incurred by and awarded against them) and will not itself make claims against them for any loss or damage (other than claims falling within the cover provided to their officers under any policy of insurance taken out by the officer) occasioned by neglect, act, error or omission committed by such officer in the course of or in connection with signing a certificate within the meaning of the Local Government (Contracts) Act 1997. This indemnity will not apply where the loss or damage results directly or indirectly from the commission of a criminal offence of which the officer is convicted or results directly or indirectly from the fraud or dishonesty of the officer, or where the officer disregards a decision by the County Council that the certificate should not be given.</i>	COUNCIL
5.	To sign any documentation or take appropriate steps to implement or effect compliance with any Council, Cabinet or Committee resolution or an	COUNCIL

	<b>DELEGATED POWER</b>	<b>OVERALL RESPONSIBLE BODY</b>
	elected member or officer acting under delegated powers.	
6.	To be the Authorised Signatory for the purpose of attesting the affixation of the Common Seal of the County Council.	COUNCIL
7.	To negotiate and recommend to the appropriate Senior Leadership Team member for approval, the terms of Settlement Agreements with County Council employees	COUNCIL
8.	To consider and decide upon individual cases relating to the alleged abandonment of assets in the context of an assessment of charges for residential care where it is inappropriate for the Director for Health and Care and/or the Cabinet Member for Health, Care and Wellbeing to deal with the matter (for example by reason of a potential conflict of interest).	COUNCIL
	<b>COMPLIANCE</b>	

	<b>DELEGATED POWER</b>	<b>OVERALL RESPONSIBLE BODY</b>
9.	To exercise the Council's powers under the Regulation of Investigatory Powers Act 2000 including authorising a council officer to act as the Senior Responsible Officer whose responsibilities will include approving and authorising officers to act as: a) An authorising Officer in relation to the Regulation of Investigatory Powers Act 2000 b) A designated person and single point of contact in relation to the Regulation of Investigatory Powers Act 2000	COUNCIL
10.	To be responsible for the Councils Information Governance function, ensuring that all legal, regulatory and ethical requirements are complied with in relation to information collected, received, used and managed by the Council.	COUNCIL
	<b>MEMBERS' SERVICES</b>	
11	To maintain the registers of:- <ul style="list-style-type: none"> <li>• The financial and other interests of members and co-opted members of the County Council as required by the Local Government Act 2000</li> <li>• Officers' declarations of interest in contracts and other pecuniary interests</li> <li>• Any other matter relating to the interests of members and co-opted members which the County Council from time to time establish.</li> </ul>	COUNCIL
12	To approve (but not refuse) applications from members submitted under the member fund.	COUNCIL
13	To approve in consultation with the Chairman of the County Council and the Leader of the Council amendments to the Council's list of events, functions, meetings, outside bodies, conferences and courses at which attendance is authorised as an approved duty; or as within Section 175 of the Local Government Act 1972 for the purpose of payment of travelling and subsistence allowance to that member	COUNCIL
14.	To approve in consultation with the Chairman of the County Council and the Leader of the Council a member's application for attendance at an event, function, meeting, outside body, conference or course not on the County Council's lists referred to in item 9 above as an approved duty or as within Section 175 of the Local Government Act 1972 for	COUNCIL

	<b>DELEGATED POWER</b>	<b>OVERALL RESPONSIBLE BODY</b>
	the purpose of payment of travelling and subsistence allowance to that member	
15.	To authorise, after consultation with the Chairman of the County Council and the Group Leaders, the payment of members' expenses claims made more than two months after the date of a meeting	COUNCIL
16.	To authorise, on the nomination of the Group Leaders, the filling of vacancies, or the interchange of members on Committees	COUNCIL
17.	To agree changes to appointments to outside bodies arising from changes in Cabinet, members or group nominations	COUNCIL
18.	To deal with alleged breaches of the Members' Code of Conduct in line with the Council's published arrangements.	COUNCIL
	<b>APPEALS</b>	
19.	To support Complaints Review Panels comprising three independent persons (i.e. not elected members) with expert knowledge of Children's Services to consider complaints under the Children's Services Act 1989 and the Local Authority Act 1970 which Panel is to make recommendations to the County Council on the course of action to be taken about any such complaint	COUNCIL
20.	To make arrangements for dealing with the following kinds of appeal under the School Standards and Framework Act 1998:- <ul style="list-style-type: none"> <li>• Admission appeals</li> <li>• Appeals against exclusions</li> <li>• Appeals by Governing Bodies</li> </ul>	CABINET/LOCAL CHOICE
	<b>PLANNING AND HIGHWAYS</b>	
21.	To submit all planning and planning related applications, including those for the County Council's own operational development and highway schemes; for the disposal of surplus land/property; for Conservation Area consent; and for Listed Building consent	COUNCIL
21a	Following consultation with the Director for Families and Communities, and/or Director for Economy, Infrastructure and Skills, as appropriate, to negotiate the terms of and enter into Agreements under Section 106 and Section 106(A) of the Town and Country Planning Act 1990 and all related statutory powers, for Education or Highway issues, and Section 111 of the Local Government Act 1972, for general matters, generated by planning applications which	COUNCIL

	fall to be determined by District or Borough Councils.	
22	In consultation with the Chairman of the Planning Committee and Director for Economy, Infrastructure and Skills to decide the final form of the conditions which the County Council would wish to be attached to, and the framework of, any section 106 Agreement, if the Secretary of State for the Environment was minded to grant permission for a particular development following an appeal in relation thereto	COUNCIL
23	In consultation with the Director for Economy, Infrastructure and Skills, to enter into agreements for the execution of highway works under the Highways Act, 1980	CABINET (LOCAL CHOICE)
24.	To exercise the powers and duties of the Council in connection with Common Land and Town/Village Greens (with the exception of the determination of applications – less contentious applications to be delegated to Team Leader (Property and Development) and the remainder and appeals against a decision of the Team Leader (Property and Development) to be referred to the Countryside and Rights of Way Panel	COUNCIL
25	On behalf of the County Council to appoint or ratify, as appropriate, all members of the Joint Local Access Forum	COUNCIL
26	To determine claims made under section 36(6) of the Highways Act 1980 for the addition of alleged public highways to the list of publicly maintainable highways kept by the County Council under that section	COUNCIL
27	To determine claims made under Section 56 of the Highways Act 1980 for the admission by the County Council of liability to maintain a highway	COUNCIL
28	To determine applications for Modification Orders under the Wildlife and Countryside Act 1981 unless, after consultation with the local County Councillor(s) for the area concerned and the Director for Families and Communities, they decide that the matter in question ought properly to be determined by the Countryside and Rights of Way Panel	COUNCIL

29	The power to determine whether an applicant's details should be removed from the Register of Applications made under Paragraph 2(3) of the Public Rights of Way (Register of Applications under Section 53(5) of the Wildlife and Countryside Act 1981)(England) Regulations 2005	COUNCIL
	<b>FINANCE/PENSIONS</b>	
30	To take and implement any decision which he is empowered to take in accordance with Financial Regulations in his capacity as Director for Corporate Services	COUNCIL
31 (a)	To take any decision relating to the investment or management of the Pension Fund which is within the framework of the strategic or policy decisions of the Pensions Committee or the Pensions Panel.	COUNCIL
31 (b)	After taking advice from Independent Advisers appointed by the Pensions Panel, to take any decisions relating to the investment and management of the Pension Fund which cannot reasonably await the next meeting of the Pensions Committee or the Pensions Panel.	COUNCIL
	<b>HUMAN RESOURCES</b>	
32.	To take and implement any decision he/she is empowered to take in accordance with County Council HR policy in his/her capacity of Director for Corporate Services.	COUNCIL
33.	To take and implement any decision on employment legislative matters in his/her capacity as Director for Corporate Services	COUNCIL
34.	To maintain the List of Politically Restricted Posts within the County Council (To be delegated to the Assistant Director for People)	COUNCIL
	<b>PROPERTY</b>	
35.	To represent Staffordshire County Council as a Director of Penda Property Joint Venture Company	COUNCIL
36.	To take all steps to administer and manage the Council's property estate	COUNCIL/CABINET
37.	To approve all acquisitions at market value of up to £200,000 and all terms for those transactions.	COUNCIL/CABINET
38.	To approve the terms of all disposals for best consideration at a market value of below £200,000 and all terms of those transactions	COUNCIL/CABINET
39.	To approve all leasehold disposals for best consideration at a total rent over the term or a premium plus the total rent of below £200,000, and all Terms of those transactions including Right of Renewal.	COUNCIL/CABINET

	<b>DELEGATED POWER</b>	<b>OVERALL RESPONSIBLE BODY</b>
40.	To approve any Easement of Wayleave where the total premium, consideration and/or rent over the term is below £200,000	COUNCIL/CABINET
41.	To approve any lease entered into where the total rent over the term or a premium plus the total rent is below £200,000	COUNCIL/CABINET
42.	To approve any licence where the total licence fee over the licence period is below £200,000.	COUNCIL/CABINET
43.	To settle any claim for dilapidations totalling less than £200,000 where the County Council has been the tenant	COUNCIL/CABINET
44.	To approve the removal of Restrictive Covenants where the total payment is below £200,000	COUNCIL/CABINET
45.	To approve Pre-emptions and Options where the total value of the property is below £200,000	COUNCIL/CABINET
46.	The granting of consent for alterations in the property or its use for Economic Regeneration Properties, including Physical Regeneration Schemes, County Farms and Enterprise Centres	COUNCIL/CABINET
47.	Jointly with the Director of Economy, Infrastructure and Skills, the approval of short term licences (up to three months) for car parking	COUNCIL/CABINET
	<b>HEALTH AND SAFETY</b>	
48.	To be responsible for the preparation, maintenance and review of the County Council's Corporate Health and Safety policies.	COUNCIL
49.	In the role of Health and Safety 'Champion' for the County Council, to be responsible for the monitoring of the County Council's Corporate Health and Safety policies.	COUNCIL
	<b>ICT</b>	
50.	To take and implement any decision which he/she is empowered to take in accordance with the ICT Strategy in his/her capacity as Director of Finance and Resources	COUNCIL/CABINET
	<b>CUSTOMER SERVICES</b>	
51.	To be responsible for the delivery of effective customer services.	COUNCIL
52.	To approve premises as a venue for marriage in pursuance of Section 26 (1)bb of the Marriage Act 1949 as a venue for Civil Partnerships in pursuance of Section 6 (3A) (a) of the Civil Partnership Act 2004	COUNCIL
53.	To carry out the County Council's duties under the Marriage Act 1949 and the Civil Partnership Act	COUNCIL



	<b>DELEGATED POWER</b>	<b>OVERALL RESPONSIBLE BODY</b>
	2004 (other than those relating to fees and appeals)	
	<b>MISCELLANEOUS</b>	
54.	To enter into all necessary agreements for the provision of vehicles required by the Council including those under the corporate staff car leasing scheme	CABINET
55.	To be the Proper Officer for the purpose of the List of Politically Restricted Posts.	COUNCIL
56.	In consultation with the relevant Chairman, to take a decision on any matter within the purview of the Regulatory Committee or any of the Panels or the Planning Committee which is not delegated to him if that matter cannot for good reason await consideration at the next meeting of the County Council, Cabinet or appropriate Committee.	COUNCIL

