

Summary of Changes to the Scheme of Delegation, as recommended by the Governance Task Group

Change	Paragraph of the existing Scheme	Subject	Change Proposed	Reason for change
General				
1.	1.12	Appoint Enforcement Officers	Add Directors	Organisation restructure consequential changes
2.	1.14 – 1.16	Outside Bodies Appointments	Change responsibility to Democratic	Organisation restructure consequential changes
3.	1.18	Audit Appointments	Add consult CFO	Organisation restructure consequential changes
4.	1.20	Authority to represent the Council on Partnership Boards	Add Directors (in addition to Chief Executive)	Strengthen the resilience of the Council to manage the business
5.	1.21	Consultation on responses to consultations	Remove <i>requirement</i> to consult EM on all responses	Allow escalation to EM according to Officer professional judgment – allows speed of response where necessary
6.	1.26	Access to Information requests	Add Head of Service responsible for Access to Information	To ensure Data Protection compliance
7.	1.30	Corporate Business Plans	Delete	Document no longer in use, therefore delegation is redundant
8.	1.38	Safeguarding	Change responsibility to Wellbeing and Intervention	Organisation restructure consequential changes
Finance				
9.	2.1	Council tax administration	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
10.	2.2	Employ Bailiffs	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
11.	2.3	NNDR	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.

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12.	2.4	Rate relief	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
13.	2.8	Determine Grants	Wording changes	As approved by the Executive in June and Council in July 2019, this will be replaced with a new delegation for administering small grants and medium grants.
14.	2.9	Councillor Community Awards	Wording changes	As approved by the Executive in June and Council in July 2019, a new commissioning fund has been will be established and a new delegation will be introduced to replace this to administer the new arrangements.
15.	2.12	Authority to spend allocated budget	Wording changes	Provide HOS with clarification that they have authority to spend the approved budget allocation Noting the relationship with Procedure Rule 6 re: virements
16.	2.14	Debts in liquidation	Change responsibility to Revenues and Benefits	Organisation restructure consequential changes.
17.	2.16	Mortgage Interest Rates	Delete	Delegation is redundant
18.	2.18 – 2.21	Capital receipts; Assets and Credit liabilities	Add consultation with relevant Director	Organisation restructure consequential changes. Officers have confirmed that the correct language is used in this delegation.

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19.	2.26	S106	Remove reference to affordable housing Split the level of decision making between HOS and Directors	Organisation restructure consequential changes. Provides consistency with other delegations in the Scheme.
20.	2.28	Credit Card charges	Add 'commercial'	Wording needs to be amended to make clear that we only charge commercial customers since the law changed in 2018.
21.	2.29	Partnership fund administration	Change to HOS (from CFO)	Organisation restructure consequential changes
22.	2.31	Family Support Reserve	Recommend delete	This reserve fund is no longer in use
23.	2.32	High Street Innovation Fund Reserve	Change to HOS for Economic Prosperity	Organisation restructure consequential changes. Note: fund in place.
24.	2.33	Business Support Reserve	Change to HOS for Economic Prosperity	Organisation restructure consequential changes
25.	2.34	Benefits Administration	Change responsibility to Revenues and Benefits (from CFO)	Organisation restructure consequential changes
26.	2.35	Hardship relief	Add note to indicate that currently there is no hardship relief in the Council Tax Support Scheme.	Hardship relief is not provided in the Council Tax Support Scheme but the note clarifies the current position.
27.	2.36	Fraud	Change responsibility to Revenues and Benefits (from CFO)	Organisation restructure consequential changes

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28.	2.37	Fraud	Change responsibility to Revenues and Benefits (from CFO)	Organisation restructure consequential changes
Land and Property				
29.	3.2	Encroachment on Land	Add HOS for Legal as a dual decision maker	Currently just to the HoS for Property; HOS for Legal and Governance needs authority to act as well.
30.	3.3	Licenses	Add Legal as a dual decision maker and therefore remove as consultees Add Relevant Director an EM for Investments as consultees	Property have flagged that there is a significant volume of licences decisions taken through this delegation. Therefore, have questioned whether it is the best approach to provide the dual authority.
31.	3.4	Development under Town and Country Planning General Regulations 1976	Delete	There is no awareness of this having ever been used.

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32.	3.7	Actions under Landlord and Tenant Acts	<p>Add a note regarding the definition of 'financially significant'</p> <p>Add HOS (Legal) Dual authority to act</p> <p>Add EM for Investments Relevant Director and HOS (Legal) as consultees in relation to politically sensitive cases.</p>	
33.	3.8	Appointment of Third-Party Wall surveyors	Delete	Consultants are appointed via Contract Procedure Rules. This delegation is therefore unnecessary.
34.	3.9	Disposal of Property up to a value of £500,000	Remove wording. May only be discharged upon an express delegation of a Key Decision maker.	This delegation now relates to the work of the Commercial Ventures Sub Committee.
35.	3.10	Acquiring sites	<p>Amended wording re:clarifying land/buildings and source of funding</p> <p>Add EM for Property as consultee</p>	This delegation now relates to the work of the Commercial Ventures Sub Committee. If amended wording is applied as suggested to reflect operational practices, then paragraph 3.12 below, can be dissolved
36.	3.11	Prudential Borrowing	Delete	Duplicates delegations already included under the finance section
37.	3.12	Property acquisitions up to £5m	Delete	Can be removed from scheme
38.	3.17	Submit planning applications	Additional HOS (Place Delivery) added	The current authorization is limiting, this change will provide more flexibility to act.

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Environmental Health				
39.	4.35 4.36	Food regulation, hygiene and safety	Insert reference to Schedule 8 paragraph 37 of EU Withdrawal Act 2018 - general transitional, transitory or saving provision, continuation of existing acts	European Union (Withdrawal) Act 2018 Schedule 8 Consequential, transitional, transitory and saving provision
	4.57 4.58 4.59 4.60	Anti-Social Behaviour <ul style="list-style-type: none"> • Civil injunctions • Public Spaces Protection Orders • Closure Notices 	Change responsibility to HOS (Community Partnership) from Environmental Health Additional HOS (Neighbourhood Operations) added	Organisation restructure consequential changes Provide delegations for both HOS as the Anti-Social Behaviour Framework transcends both areas
Housing and other Residential Accommodation				
40.	5.24	S106 Affordable Housing expenditure	Change wording on HOS and include Directors Separate out the decision levels between HOS and Directors	Organisation restructure consequential changes Add consistency with other delegations in the Scheme
41.	5.25	Housing Revenue Account	Remove HOS (Housing)	Organisation restructure consequential changes
42.	5.50	Housing overcrowding (Houses of multiple occupation)	Delete reference to HOS Housing	Organisation restructure consequential changes

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Human Resources				
43.	New 6.0	Pay Negotiation	Insert delegation for relevant Director and or HOS	Consequential change flowing from change in Employment Committee terms of reference
44.	6.4	Grading reviews	Change of wording to remove consultation with Chair of Employment Committee (except for Management Team and Statutory roles)	Consequential change flowing from change in Employment Committee terms of reference
45.	6.14	Equality Policy	Change wording	Update to reflect current legislative position
Planning and Development				
46.	7.4	Determine applications	Add "(iv) Prior Approval Notifications" as a new category	A new category to reflect application type not currently provided for. At present, the Constitution does not seem to allow for the approval of details required by planning conditions
47.	7.5	Determine an application for renewal of permission	Update wording of 7.5 to read "Determine applications for proposals which are identical or not significantly different from previous permissions"	A change resulting from the removal in legislation of the ability to renew permissions.
48.	7.14	Building Control transfer to Tandridge	Delete	Completed, and consequential deletion

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49.	7.21	Community Infrastructure Levy	Change wording on HOS to include Directors Separate out the decision levels between HOS and Directors	Organisation restructure consequential changes Add consistency with other delegations in the Scheme
Street Scene				
50.	8.3	Christmas Bus Service	Delete	Consequential deletion
Leisure, Parks and Open Spaces				
51.	9.3	Close Parks	Add HOS (Legal and Governance) as consultees	To strengthen the governance around these decisions
52.	9.11	Service Level Agreements for countryside areas	Broaden the delegation for other areas in the Borough	Increase the functionality of the delegation to be more effective
53.	9.12	Neighbourhood Improvement Fund (NIF) allocation of resources	Delete once the NIF has finished	Consequential deletion
54.	New 9.13	Management Agreements for Community Groups established	Introduce a new delegation to manage entering into agreements	To provide flexibility within the organisation to respond to requests for supporting the establishment of Community Groups where RBBC is requested to participate.