

## **ANNUAL REPORT ON THE USE OF DELEGATED POWERS**

<b>Head of Service:</b>	Amardip Healy, Chief Legal Officer
<b>Wards affected:</b>	(All Wards);
<b>Urgent Decision?(yes/no)</b>	No
<b>If yes, reason urgent decision required:</b>	
<b>Appendices (attached):</b>	Appendix 1: Schedule of significant officer decisions taken in consultation with Committee Chairmen

### **Summary**

In accordance with the Council's Scheme of Delegation to Officers, this report sets out significant decisions taken by Officers in consultation with Committee Chairs for the period 22 May 2019 to 28 May 2021.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) note the significant decisions taken by Officers in consultation with relevant Chairman/Chair recorded using the delegated authority process from 22 May 2019 to 31 December 2019 and 1 August 2020 to 28 May 2021.**

## **1 Reason for Recommendation**

- 1.1 The Scheme of Delegation to Officers included within Part 3 of the Constitution requires a report to be presented annually to the Audit, Crime & Disorder and Scrutiny Committee setting out significant decisions taken under delegated powers in the previous year.

## **2 Background**

- 2.1 The Scheme of Delegation was drawn up on the principle that Officers are authorised to do all things that are necessary to run their services and to implement council policies provided their actions are taken within budget and according to standing orders etc.

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- 2.2 The Scheme contains a number of caveats and restrictions to ensure that Members are aware of most actions taken under delegated powers and are consulted properly. One of these is that a report should be presented annually to this Committee setting out significant decisions taken by Officers under delegated powers in the previous year.
- 2.3 Urgent decisions or decisions that need to be made in consultation with a Chairman or where specifically authorised by a Committee are recorded using the Officer Action process. The process is also used as a means of recording decisions which officers have felt it necessary to consult members upon. Members are notified of any decisions taken via this process through Members Update.
- 2.4 The phrase “significant decision” is not defined in the Scheme of Delegation. For the purposes of this report it is defined as those decisions recorded using the Officer Action process.

## 3 Delegated decisions

- 3.1 At its meeting on 19 November 2020 the Committee received and noted a report presenting an independent review of [decisions taken under delegated powers between 1 January 2020 and 31 July 2020](#).
- 3.2 Appendix 1 provides a record of decisions taken under delegated powers since 31 July 2020. It also includes any decisions taken from 22 May 2019 to 31 December 2019 which have not been presented to the Committee due to the timing of the previous annual report.
- 3.3 A total of 15 decisions were taken during the period 22 May 2019 - 31 December 2019, with one Officer Action form being cancelled (not used). A total of 11 decisions were taken during the period 1 August 2020 – 28 May 2021, with one Officer Action form being cancelled (not used).

## 4 Risk Assessment

Legal or other duties

- 4.1 Impact Assessment
  - 4.1.1 None.
- 4.2 Crime & Disorder
  - 4.2.1 None.
- 4.3 Safeguarding
  - 4.3.1 None.
- 4.4 Dependencies

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4.4.1 None.

4.5 Other

4.5.1 None.

## 5 Financial Implications

5.1 As set out in individual cases and signed off by the Chief Finance Officer.

5.2 **Section 151 Officer's comments:** none for the purposes of this report.

## 6 Legal Implications

6.1 The Chief Executive, Directors and Heads of Service are empowered to take all operational decisions within agreed policies in relation to the services for which they are responsible.

6.2 The current process of reporting to this Committee as a method of notification of decisions made under delegated decisions will cease. It will be replaced with changes where such decisions will be published on the Council's website.

6.3 **Monitoring Officer's comments:** none for the purposes of this report.

## 7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.

7.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** None.

7.4 **Sustainability Policy & Community Safety Implications:** None.

7.5 **Partnerships:** None.

## 8 Background papers

8.1 The documents referred to in compiling this report are as follows:

### **Previous reports:**

- [Annual report on the use of delegated powers, Audit, Crime & Disorder and Scrutiny Committee, 25 June 2019](#)
- [Delegated Decisions report, Audit, Crime & Disorder and Scrutiny Committee, 19 November 2020](#)

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**Other papers:**

- [Scheme of Delegation to Officers, Part 3 of the Epsom and Ewell Borough Council Constitution](#)