

USE OF DELEGATED POWERS ANNUAL REPORT

Head of Service:	Andrew Bircher, Interim Director of Corporate Services
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	Appendix 1 - Schedule of significant officer decisions taken in consultation with committee Chairs

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 26 May 2022 to 31 May 2023.

Recommendation (s)

The Committee is asked to:

- (1) Note the significant decisions taken by officers, in consultation with relevant committee Chairs, recorded using the delegated authority process from 26 May 2022 to 31 May 2023.**

1 Reason for Recommendation

- 1.1 The Scheme of Delegation to officers, [Appendix 2](#) of the Constitution, requires a report to be presented annually to the Audit 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 in compliance with the council's standing orders.

Audit and Scrutiny Committee

18 July 2023

- 2.2 The Scheme contains several caveats and restrictions to ensure that councillors 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, decisions that need to be made in consultation with a committee Chair, or decisions which are 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 councillors on. Councillors are notified of any decisions taken via this process through Members News.
- 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 Appendix 1 provides a record of decisions taken under delegated powers since 26 May 2022 – 31 May 2023, in line with the timings of last year’s report to the Committee.
- 3.2 A total of 22 decisions were taken during the period. Two forms were cancelled.

4 Risk Assessment

Legal or other duties

- 4.1 Equality Impact Assessment
 - 4.1.1 No direct implications from this report.
- 4.2 Crime & Disorder
 - 4.2.1 No direct implications from this report.
- 4.3 Safeguarding
 - 4.3.1 No direct implications from this report.
- 4.4 Dependencies
 - 4.4.1 None.
- 4.5 Other
 - 4.5.1 None.

5 Financial Implications

Audit and Scrutiny Committee

18 July 2023

- 5.1 As set out in individual cases and signed off by the Chief Finance Officer.
- 5.2 **Section 151 Officer's comments:** None arising from the contents of this report.

6 Legal Implications

- 6.1 The Chief Executive, Directors and Heads of Service can take all operational decisions within agreed policies in relation to the services for which they are responsible.
- 6.2 The current process of reporting is this report, which is brought to Audit & Scrutiny Committee annually, and in addition, each decision is published on "MembersNews" for councillors to review.
- 6.3 **Legal Officer's comments:** none other than as stated in 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:

- Epsom & Ewell Borough Council (2022) *Annual Report on the Use of Delegated Powers*, Audit & Scrutiny Committee, 14 June. Online available: <https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=157&MId=1250> [last accessed 08/06/2023].

Other papers:

- Epsom & Ewell Borough Council (2023) *Constitution: Appendix 2*. Online available: <https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=205&MId=1574&Ver=4&Info=1> [last accessed 08/06/2023].