

## LIST OF POWERS DELEGATED TO OFFICERS

<b>Chief Executive, Heads of Service, Service Managers</b>	
1.	<p>To manage the services for which they are responsible:-</p> <ul style="list-style-type: none"> <li>i) In accordance with any policy decisions made by, or guidelines issued by, the Council;</li> <li>ii) Within the budgets made or approved by the Council;</li> <li>iii) In compliance with all standing orders, codes of practice, financial regulations or instructions approved or adopted by the Council.</li> </ul>
2.	<p>To take such decisions or actions as they are required or authorised to take:-</p> <ul style="list-style-type: none"> <li>i) Under standing orders adopted by the Council, and</li> <li>ii) As proper officers of the Council (as defined in Section 270(3) of the Local Government Act 1972).</li> </ul>
3.	<p>To accept tenders and award contracts to contractors on behalf of the Council in the following circumstances:-<sup>01/08</sup></p> <ul style="list-style-type: none"> <li>i) Following a tender process strictly in accordance with the Council's Contract Procedure Rules and Financial Regulations;</li> <li>ii) For the carrying out of works and/or the provision of goods and/or services; and</li> <li>iii) Which are to be awarded on the basis of lowest possible price.</li> </ul>

### CHIEF EXECUTIVE (Head of Paid Service)

#### Designation – Chief Executive

	Act	Statutory Function
1sf.	Section 4 Local Government and Housing Act 1989	Head of Paid Service
2sf.	Section 8 Representation of the Peoples Act 1983	Electoral Registration Officer
3sf.	Section 35 Representation of the Peoples Act 1983	Returning Officer at district and parish elections

- a) All functions as Head of Paid Service, including the overall corporate management and operational responsibility including management responsibility for all officers and approval of operational human resources and organisational development policies, working procedures, protocols. The Head of Paid Service may delegate such approvals to the management team.<sup>06/09</sup>

- b) Provision of professional advice to all parties in the decision making process.
- c) Representing the Council on partnership and external bodies (as required by statute or Council).
- d) Community planning
- e) Responsibility for maintaining and updating the scheme of delegation to officers.
- f) To authorise officers in appropriate posts who are suitably trained and qualified to carry out the delegations where authorised posts become vacant or cease to exist and to authorise the changes in the Constitution to bring into effect the changes to the scheme of delegation.<sup>01/10</sup>
- g) To authorise the Head of Paid Service (or deputy) to grant dispensation in respect of any conflict of interest of any Member of the Cabinet declared at meetings of the Cabinet.<sup>10/12</sup>
- h) The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers.
- i) The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- j) The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

### Proper Officer Function – Chief Executive

	Act	Proper Officer Function
1pf.	Section 13 Local Government and Housing Act 1972	To act as parish trustee
2pf.	Section 83 Local Government Act 1972	Declaration of acceptance of office.
3pf.	Section 84 Local Government Act 1972	Delivery of resignation from office.
4pf.	Section 88 Local Government Act 1972	Summoning Council meeting to fill casual vacancy for office of Chairman.
5pf.	Section 89 Local Government Act 1972	Receipt of notice of casual vacancy.
6pf.	Section 16 Electoral Administration Act 2006	As Returning Officer for South Kesteven has delegated authority in consultation with Ward Councillors to determine Polling Places. <sup>01/10</sup>
7pf.	Local Government Act 1972	Signature of documents
8pf.	Section 2(4) Local Government and Housing Act 1989	Politically restricted posts

	<b>Act</b>	<b>Proper Officer Function</b>
9pf.	Section 116 Local Government Finance Act 1988	Duty to notify auditor or meetings to consider statutory reports.
10pf.	Section 210 Local Government Act 1972	Functions in relation to charities.
11pf.	Section 225 Local Government Act 1972	Deposit of documents.
12pf.	Section 238 Local Government Act 1972	Certification of byelaws.
13pf.	Local Government Act 1972 Schedule 12 paragraph 4(2)	Signing summonses to Council meeting
14pf.	Local Government Act 1972 Schedule 12 paragraph 4(3)	Address to which summonses are to be sent.
15pf.	Section 115 Local Government Act 1972	Receipt of monies from officers.
16pf.	Section 146 Local Government Act 1972	Transfer of securities on alteration of name or area
17pf.		Proper Officer of the Council in relation to any matter or function which is not otherwise catered for in the lists or by later resolution of the Council.
	Without prejudice to the specific appointments as proper officers set out in the lists of Proper Officer functions, the Chief Executive, the Development Management Services Manager and Heads of Service are proper officers of the Council in relation to any matters (including, but not limited to, matters referred to in Section 234 of the Local Government Act 1972) which fall either by specific resolution of the Council or by custom or practice within their responsibilities.	
<b>Proper Officer Function</b>		A proper officer shall nominate in writing another Officer of the Council to act as proper officer in his/her stead in the event that he/she is at any time absent or unable to act as such proper officer
<b><u>LOCAL GOVERNMENT ACT 1972</u></b>		The Chief Executive, and any officer of the Council so authorised by him/her in writing, may prosecute, defend or appear in any proceedings under Sections 222 and 223 of the Local Government Act 1972.