



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Cabinet

18 August 2020

Report of: Councillor Kelham Cooke

The Leader of the Council



Key and Non-Key Decisions taken under delegated powers

This report provides an overview of decisions taken by individual Cabinet Members since the last meeting of the Cabinet on 7 July 2020.

Report Author

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Corporate Priority:	Decision type:	Wards:
Administrative	Administrative	All Wards

Reviewed by:	Shahin Ismail, Director of Law and Governance	10 August 2020
Approved by:	Karen Bradford, Chief Executive	10 August 2020
Signed off by:	Councillor Kelham Cooke, The Leader of the Council	10 August 2020

Recommendation (s) to the decision maker (s)

1. It is recommended that the Cabinet notes the contents of this report.

1 Non-Key Decisions

1.1 Since the Cabinet last met on 7 July 2020, the following non-key decisions have been taken by individual Cabinet Members under delegated authority:

1.1.1 Property Maintenance Reserve – release of funds

Non-key decision taken by the Leader of the Council on 27 July 2020

Date decision effective: 5 August 2020

Report and decision notice attached as Appendix 1

1.1.2 South Kesteven Annual Position Statement

Urgent non-key decision taken by the Cabinet Member for Housing and Planning on 31 July 2020

Date decision effective: 31 July 2020

Report and decision notice attached as Appendix 2

1.1.3 Public Space Protection Order Consultation

Non-key decision taken by the Cabinet Member for Commercial and Operations on 5 August 2020

Date decision effective: 13 August 2020 (subject to call-in)

Report and decision notice attached as Appendix 3

1.2 Any decision made after the publication of the agenda will be reported at the next meeting of the Cabinet.

2 Decision taken under the Chief Executive's emergency powers

2.1 The Cabinet is also asked to note a decision that was made by the Chief Executive under her emergency powers, as set out in Article 16 of the Council's Constitution.

2.1.1 Pavement licences – Delegation to Lincolnshire County Council

Emergency decision taken by the Chief Executive on Thursday 6 August 2020

The decision was taken in consultation with the Leader of the Council

The leaders of the Independent Group and the Labour Group were both notified of the Chief Executive's intention to make this decision under the emergency provisions

Date decision effective: 6 August 2020

Report and decision notice attached as Appendix 4

2.2 At the meeting of the Cabinet on 7 July 2020, delegated authority was given to the Chief Executive to delegate the pavement licensing function to Lincolnshire County Council, which she did by way of an officer delegated decision on 21 July 2020. The Business and Planning Act received Royal Assent on 22 July 2020 and came into effect on the same day. When it was enacted a new clause had been added, making the functions relating to pavement licensing non-Executive functions, meaning that they could not be dealt with by the Cabinet; this meant that the decision to delegate the function was no longer valid.

2.3 This meant that a further decision was necessary to delegate that function to Lincolnshire County Council. The resulting decision was taken under the Chief Executive's emergency powers to ensure that the expedited pavement licensing function could be exercised expediently and to prevent delays in determining applications.

2.4 This decision will also be reported to the next available meeting of full Council.