

Appendix 1 – Changes to Constitution

PART 3 - RESPONSIBILITY FOR FUNCTIONS

9.5 In addition to those powers specified in the Tables and elsewhere in this Constitution, the officers specified above have delegated to them by the Council or the Leader, or Cabinet (as the case may be) all and any of the powers of the Council and the executive as may be necessary or desirable to enable them to effectively manage and operate their Department or to carry out the roles and responsibilities required of them from time to time (not necessarily restricted to those roles and responsibilities specified above). These powers are subject to the exemptions, restrictions and limitations specified in paragraph 10 below or elsewhere in this Constitution. These powers include (but are not limited to) the powers set out in the following table which are also, subject to any exemption, restriction or limitation specified in respect of them in that table:-

| Power | Exception, restriction or limitation |
|---|--|
| <p>9. to <u>bid for and</u> make grants or give other financial or other assistance to organisations.</p> | <p>(a) Provided that if the grant or other financial assistance involves the grant of funds from Council's own resources</p> <p>(i) the relevant Director is satisfied that no adverse capital finance or other negative implications would arise, unless written consent of the Corporate Director, Finance and Resources is obtained.</p> <p>(ii) no grant shall be made by officers if it amounts to more than £25k per annum except in the case of Neighbourhood Infrastructure Level grants which may be made by the Corporate Director of Communities and Regeneration up to the value of £100k.</p> <p>(iii) no grant shall be withdrawn or reduced by officers if the receiving body has received a grant from the Council for each of the last five years for the same purpose unless such withdrawal is due to the fact that the body no longer meets the relevant grant criteria or conditions of grant.</p> <p>(iv) the grant criteria has been approved by the Cabinet, other appropriate body, <u>the relevant Corporate Director</u> or <u>other</u> person with appropriate authority.</p> |

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| | <p>(v) no grant shall be made by officers from the council's Voluntary Sector Initiative Fund except with the prior approval of the Cabinet.</p> <p>(b).....</p> <p><u>(c) Provided that submission of bids for additional resources from government and other bodies shall be subject to consultation with the relevant Cabinet Member.</u></p> |
| <p>3(a) to invite expressions of interest, agree shortlists, invite tenders, negotiate, award, enter into and terminate contracts, agreements, deeds or other transactions; to purchase supplies and services; to appoint external consultants; to make minor or consequential changes to any of the documents mentioned above which were previously agreed by the Cabinet or the Council or their committees or sub-committees.</p> | <p>Provided that:</p> <p>(a) In the case of a contract, agreement, deed or transaction where the Council would be in receipt of works, services or supplies (other than the supply of electricity of gas through a corporate contract) if the value inclusive of VAT of the contract, agreement, deed, transaction, supply, service, work or consultancy would or would be likely or is estimated at the commencement of any procurement process to exceed £2 million in respect of services, supplies or £5 million in respect of works, such value to be aggregated over the life of the contract (including any possible extension) then:-</p> <p>.....</p> |

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13. Decisions by individual Members

The Leader has delegated the following functions to Cabinet members to be exercised within their portfolio area and in consultation with the Leader.

Categories of decisions for individual Cabinet Members, to be taken in consultation with the Leader.

| CATEGORY | INDIVIDUAL MEMBER DELEGATED DECISIONS (in relation to their portfolio area) |
|-----------------------------|---|
| Financial | Submission of bids for additional resources from government and other bodies in relation to their portfolio area, subject to financial regulations and any matching funding being identified at the time of bidding. |
| | Agreement of changes to existing fees and charges <u>where this is not within powers delegated to officer in accordance with the Fees and Charges policy adopted by Council.</u> |
| <u>Consultations</u> | <u>To agree Supplementary Planning Documents (SPDs) for consultation, together with the arrangements for consultation, and following consultation to adopt SPDs or refer them to Cabinet for adoption.</u> |