

WIRRAL COUNCIL

CABINET – 16th August 2007

REPORT OF THE DEPUTY CHIEF EXECUTIVE / DIRECTOR OF CORPORATE SERVICES

PROTOCOL ON DELEGATED DECISION MAKING

EXECUTIVE SUMMARY

At its meeting on 16th July 2007, the Council approved changes to the Constitution which gives delegated decision-making powers to individual portfolio holders for particular areas of Council business. A protocol is set out below which is recommended for implementation of this aspect of the Constitution.

1 Background

1.1 The Cabinet and Council have considered changes to the Council's Constitution at their meetings on 10th July and 16th July respectively. The changes agreed include the provision of delegated decision-making powers to individual portfolio holders for specific areas of the Council's business.

1.2 The specific areas of delegation are set out below

- Streetscene and Transport Services- To approve the recommendation of the Streetscene and Transport Services Overview and Scrutiny Committee in connection with proposed traffic regulation orders to which objections have been lodged where he/she agrees with the recommendation.
- Approval of those matters where the recommendation is simply to note the report;
- Acceptance of tenders below £250,000, where the tender is the lowest price, the tender complies with all the price, quality, safety, sustainability and any other criteria set out in the tender document; and the tender value is below the figure set out in the relevant budget;
- The disposal of surplus land, buildings and other assets up to value of £250,000;
- The purchase of land, buildings and other assets up to a value of £250,000;
- Approval of the appointment of consultants up to £50,000
- Power to write off debts up to £10,000, in consultation with the Director of Finance.

2 Protocol for delegated decision-making

Chief Officers will ensure that matters for decision are placed before Members following the appropriate consultation with other Officers within the Council.

In addition, the Constitution requires that delegated decisions should only be taken by portfolio holders following the expiry of 3 clear working days from the notification of matters by Chief Officers. The portfolio holder will also notify the Leader of the Council of the decisions he or she intends to make following the elapse of the 3 clear working days. During this period, the portfolio holder or the Leader of the Council may request that the matter be referred to the next meeting of the Cabinet rather than taken under delegated powers, by notifying the Head of Legal and Member Services.

When decisions are made under the delegated decision-making powers, a member of staff from Committee Services will be present to minute the decision.

A formal set of minutes will be produced and published on the Council's Intranet and Internet site. All Members of the Council will be informed by email and the minutes will be open for call-in for 5 working days.

3 Financial implications

There are no financial implications.

4 Staffing implications

There will be staffing implications for Legal and Member Services to accommodate the servicing of additional meetings. It is envisaged that this will be met from existing resources.

5 Equal opportunities implications

There are no equal opportunity implications.

6 Community safety implications

There are no community safety implications.

7 Local Agenda 21 implications

There are no Local Agenda 21 implications.

8 Planning implications

There are no planning implications.

9 Anti-poverty implications

There are no anti-poverty implications.

10 Social inclusion implications

There are no social inclusion implications.

11 Background Papers

The Council's Constitution was used to prepare this report.

RECOMMENDATION

That the protocol for delegated decision making, as set out above, be approved.