

APPENDIX B

Changes made to Executive delegations

Date	Reference	Previous text	New text
1 April 2011	Part 3C, Functions delegated to officers (page 115)	<p>Executive Director for Finance, IS and Property</p> <p>Add new paragraph 13 and renumber following paragraphs</p>	<p>"To make decisions, following consultation with the relevant Cabinet Member, on applications for council tax discretionary discounts."</p>
13 July 2011	Part 3 A Executive functions	<p>Each Cabinet Member is responsible for:</p> <p>the efficient use and day-to-day maintenance of Council premises;</p>	<p>iii. the efficient use of Council premises. ('day-to-day maintenance' will be the responsibility of Corporate Property and the Cabinet Member for Housing and Property).</p>
		<p>xvi. the disposal of assets between £100,000 and £249,999 in conjunction with the Cabinet Member for Finance and Information Systems;</p> <p>....</p> <p>xxi. the disposal of property valued between £100,000-£249,999 in respect of the functions for which they are responsible, in conjunction with the Cabinet Member for Finance and Information Systems;</p> <p>xxii applying for planning permission for the Council's own development schemes;</p> <p>xxiii applying for conservation area consent, listed building consent or any other permissions or consents necessary to progress the Council's own development schemes; and</p>	<p>Delete xvi and xxi to xxiii</p>
			<p>Add: To make recommendations to the Cabinet Member for Housing and Property concerning the disposal or acquisition of property.</p>

	<p>Cabinet Member for Civil Society</p> <p>xxv. Joint approval with the Cabinet Member for Finance and Information Systems of (i) the disposal and acquisition of property; (ii) the letting of property for rents exceeding £10,000 per annum; and (iii) the development of any lands owned by the Council in the Colville, Cremorne, Golborne, Norland, Notting Barns and St Charles Wards; and</p>	Delete
	<p>Cabinet Member for Education and Libraries</p> <p>i. local schools, including plans for new educational provision in the Borough and/or the improvement or renewal of existing facilities;</p>	i. local schools, including plans for new educational provision in the Borough;
	<p>Cabinet Member for Housing and Property</p> <p><i>and in relation to property matters:</i></p> <p>i. maintenance of the Council's buildings (other than day-to-day maintenance);</p> <p>ii. overall management of the Council's property assets and the disposal of the Council's property interests up to a value of £249,999 in conjunction with the Cabinet Member within whose portfolio the property was formerly an operational property. <i>[Note: decisions on – (i) the disposal and acquisition of property; (ii) the letting of property for rents exceeding £10,000 per annum; and (iii) the development of any land owned by the Council – in the Colville, Cremorne, Golborne, Norland, Notting Barns and St Charles Ward shall be the subject of joint decision with the Cabinet Member with responsibility for regeneration matters.];</i> and</p> <p>iii. the power to grant leases and easements of a value between £100,000 and of £249,999.</p>	<p><i>and in relation to corporate property matters (non Housing):</i></p> <p>i. management of all the Council's property assets with the exception of HRA residential stock and highway land and their associated assets;</p> <p>ii. maintenance of the Council's buildings (including day to day maintenance)</p> <p>iii. acquisition of property (freehold or leasehold) or granting of an interest in land and the disposal of the Council's property interests up to a value of £249,999;</p> <p>iii. the power to grant leases and easements of a value between £100,000 and of £249,999.</p> <p>iv. the Town Hall and other civic buildings, including the letting of accommodation at public buildings owned or occupied by the Council.</p>

--	--	--	--

13 July 2011	Part 3C Functions delegated to officers	All Executive Directors etc	
		20. To accept, hold and administer any property on trust in respect of functions delegated to them.	20. To use and occupy the premises and estate efficiently.
		40. To write off debts due to the Council, dispose of any asset or vire budgets due to the Council in accordance with the Council's Financial Procedure Rules at Part Four (D) of the Constitution.	40. To write off debts due to the Council, dispose of any non – property asset or vire budgets due to the Council in accordance with the Council's Financial Procedure Rules at Part Four (D) of the Constitution.
		Executive Director for Finance, Information Systems and Property	To add to existing powers (delegation from Executive): Accountability for the capital programme, capital receipts and the Council's income and investments (excluding HRA residential stock, highway land and their associated assets)
	Director for Corporate Property	To add to existing powers (delegation from Executive): i. Accountability with the EDFIS&P for the capital programme, capital receipts and the Council's income and investments (excluding HRA residential stock, highway land and their associated assets); ii. Financial control and management of capital building works and all maintenance projects (including minor works programmes, but excluding VA or Faith schools) funded through the capital programme; iii. To approve the acquisition of (freehold or leasehold), disposal of or granting of an interest in land (lease or licence), where appropriate with the EDFIS&P, subject to consultation with the Cabinet Member for Housing and Property where totals are below £250,000 (amounts in excess to be subject to Cabinet approval);	

			<p>iv. To be responsible for all facilities management activities and all revenue expenditure in respect of property-related running costs.</p> <p>v. To permit, restrict and close access to the whole or part of any of the corporate facilities owned or occupied by the Council. In relation to the catering waiver and to lettings of the Great hall, the Small Hall, the Main Hall and the Small Hall combined, the Cadogan Suite and Kensington Town Hall Committee Rooms, except that, where an organisation has previously made a booking, the power to set the charge with the same rate is delegated.</p> <p>vi. To approve the acceptance of utility contracts (only).</p>
		<p>Director of Human Resources and General Services</p> <p>14. To permit, restrict and close access to the whole or part of any of the corporate facilities owned or occupied by the Council. In relation to the catering waiver and to lettings of the Great hall, the Small Hall, the Main Hall and the Small Hall combined, the Cadogan Suite and Kensington Town Hall Committee Rooms, except that, where an organisation has previously made a booking, the power to set the charge with the same rate is delegated.</p> <p>19. To approve the acceptance of utility contracts (only).</p>	<p>Delete - transferred to Director for Corporate Property.</p> <p>Delete - transferred to Director for Corporate Property.</p>

		<p>Executive Director for Housing, Health and Adult Social Care</p> <p>18. To grant licences in respect of Council property, in conjunction with the Director of Property.</p> <p>19. To grant rent reductions in connection with renewal projects and or major repairs.</p> <p>20. To negotiate deeds of variation to leases.</p> <p>21. To consent to improvements to private sector housing.</p> <p>22. To have regard to all written observations received from leaseholders in connection with statutory notices for works, not requiring specific approval by the Cabinet Member for Housing and Property.</p> <p>23. To approve applications by Council borrowers to sub-let property mortgaged by the Council.</p>	<p>In relation to housing stock only and not operational or commercial stock:</p> <p>18. To grant licences or leases in respect of Council property, in conjunction with the Director of Corporate Property.</p> <p>19. To grant rent reductions in connection with renewal projects and or major repairs.</p> <p>20. To negotiate deeds of variation to leases.</p> <p>21. To consent to improvements to private sector housing.</p> <p>22. To have regard to all written observations received from leaseholders in connection with statutory notices for works, not requiring specific approval by the Cabinet Member for Housing and Property.</p> <p>23. To approve applications by Council borrowers to sub-let property mortgaged by the Council.</p>
		<p>Director of Community Learning</p> <p>11. To be responsible for Libraries.</p>	<p>11. To be responsible for the provision of library services.</p>

Part 2, Article 6 - Scrutiny Committees

Existing wording	Proposed wording (additions in bold)
<p>6.03 Housing and Property Scrutiny Committee (b) Terms of reference To scrutinise . . . 7. Corporate asset management strategy, plan and delivery.</p>	<p>7. Corporate asset management.</p>

Financial Procedure Rules

Existing wording	Proposed wording (additions in bold)
<p>4.16 Executive Directors must inform and consult with the Director for Property and the relevant Cabinet Member if they propose to vacate, acquire, lease or dispose of land and properties by lease or freehold. Executive Directors must inform the Director for Property of all property that ceases to be used for its existing operational purpose so that it can be considered for alternative uses within the Council or for disposal.</p>	<p>4.16 Executive Directors must seek the approval of the Director for Corporate Property and the Cabinet Member for Housing and Property if they propose to vacate, acquire, lease or dispose of land and properties or to grant any easement over or under land. Executive Directors must inform the Director for Corporate Property of all property that ceases to be used for its existing operational purpose so that it can be considered for alternative uses within the Council or for disposal.</p>
<p>4.20 Executive Directors are responsible for complying with issued guidelines in respect of all asset disposals. Executive Directors are responsible for planning and meeting the cost of dilapidations connected with their occupation of property.</p>	<p>4.20 Executive Directors are responsible for complying with issued guidelines in respect of all assets regarding Health and Safety. Executive Directors are responsible for planning and meeting the cost of dilapidations connected with their occupation of property.</p>