

Constitution Committee

Monday 18 January 2021 at 2.00 pm

Please note that this meeting will be held remotely and can be viewed on the County Council website at www.gloucestershire.gov.uk



AGENDA

1	APOLOGIES FOR ABSENCE	Chair
2	MINUTES (Pages 1 - 4) To approve the minutes of the meeting held on 12 October 2020.	Chair
3	PUBLIC QUESTIONS To answer any written public questions about matters which are within the powers and duties of the Committee. The closing date/time for receipt of questions is 10.00am on 11 January 2021.	Chair
4	MEMBERS' QUESTIONS To answer any written members' questions. The closing date/time for the receipt of questions is 10.00am on 11 January 2021.	Chair
5	WRITTEN ANSWERS TO SUPPLEMENTARY QUESTIONS To consider amending the wording of the following paragraphs: PROCEDURAL STANDING ORDERS 9. QUESTIONS BY MEMBERS 9.5.3 If the information required is not easily available a written answer will be sent to the questioner and circulated to all Members of the Council. <i>Supplementary written answers will be provided within a reasonable time and published as a supplementary document with the original meeting papers no later than 4 weeks after the meeting.</i> CABINET PROCEDURE RULES	Chair

	<p>9. QUESTIONS AT CABINET MEETINGS</p> <p>9.8.3 If the information required is not easily available, a written answer will be sent to the questioner and circulated to all Cabinet Members. <i>Supplementary written answers will be provided within a reasonable time and published as a supplementary document with the original meeting papers no later than 4 weeks after the meeting.</i></p>	
<p>6</p>	<p>MONITORING OFFICER CHANGES (Pages 5 - 26)</p> <p>To consider the attached report.</p>	<p>Rob Ayliffe</p>
<p>Membership – Cllr Richard Boyles, Cllr Mark Hawthorne MBE (Chair), Cllr Colin Hay, Cllr Nigel Moor, Cllr John Payne, Cllr Nigel Robbins OBE, Cllr Lynden Stowe, Cllr Lesley Williams MBE and Cllr Will Windsor-Clive</p>		

- (a) **DECLARATIONS OF INTEREST** – Members requiring advice or clarification about whether to make a declaration of interest are invited to contact the Acting Monitoring Officer, (Rob Ayliffe Tel:01452 328506/ e-mail: rob.ayliffe@gloucestershire.gov.uk) prior to the start of the meeting.
- (b) **INSPECTION OF PAPERS AND GENERAL QUERIES** - If you wish to inspect minutes or reports relating to any item on this agenda or have any other general queries about the meeting, please contact: Sophie Benfield, Democratic Services Adviser
☎:01452 324094/ e-mail: sophie.benfield@gloucestershire.gov.uk
- (c) **GENERAL ARRANGEMENTS**
 - 1 Members are required to sign the attendance list.
 - 2 Please note that substitution arrangements are in place for Scrutiny (see page 81 of the Constitution).
- (d) Please note that photography, filming and audio recording of Council meetings is permitted subject to the Local Government Access to Information provisions. Please contact Democratic Services (Tel 01452 324202) to make the necessary arrangements ahead of the meeting. If you are a member of the public and do not wish to be photographed or filmed please inform the Democratic Services Officer on duty at the meeting.



CONSTITUTION COMMITTEE

MINUTES of the meeting of the Constitution Committee held on Monday, 12 October 2020 at 3.00pm.

PRESENT

Cllr Mark Hawthorne MBE
(Chair)
Cllr Colin Hay
Cllr Nigel Moor
Cllr John Payne

Cllr Lynden Stowe
Cllr Lesley Williams MBE
Cllr Will Windsor-Clive

31. APOLOGIES FOR ABSENCE

Cllr Nigel Robbins

32. MINUTES

The minutes of the meeting held on 9 March 2020 were confirmed as a correct record.

33. PUBLIC QUESTIONS

No public questions had been submitted ahead of the meeting.

34. MEMBERS' QUESTIONS

No questions had been received from members ahead of the meeting.

35. UPDATES TO GCC CONSTITUTION

Rob Ayliffe, Monitoring Officer, presented the report that had been circulated with the agenda. He explained that it was the responsibility of the Monitoring Officer to keep the Constitution under regular review. An end-to-end review had been carried out over recent months and the report set out a number of recommended changes to various sections of the Constitution. A further report would be presented to a future meeting covering other aspects of the Constitution including Financial Regulations, Contract Standing Orders, Access to Information, Protocol for Public Address at Planning Committee and the Member Code of Conduct.

The following areas were highlighted by members and, where appropriate, responses were provided by officers.

- a) Complaints - Part 2, Section 3.04 (page 19 of agenda pack)
Information compliance procedures relate to how data was being handled under GDPR. These procedures sat alongside the complaints' scheme.
- b) Photography and audio recording of meetings - Part 4, Section 21.2
The reference to 'audit recording' to be replaced with 'audio recording'.
- c) Cabinet Procedure Rules - Part 4, Section 5.3 (page 83 of the agenda pack)
The quorum for the Cabinet could not be four members if the Cabinet membership was two or three members (in accordance with Section 1.2). Section 5.3 to be redrafted to reflect a quorum of four members for Cabinet membership of five to 10 members (including the Leader of the Council). All Cabinet Members (including the Leader of the Council) will be required for Cabinet membership of three or four members.
- d) Full Council functions – Part 3, Section 3 (page 25 of the agenda pack)
The Gloucestershire Economic Growth Joint Committee had been moved to new Section 6 on Joint Arrangements. The Police and Crime Panel, Health and Wellbeing Board, Pensions Committee and Pension Board were shown as Full Council functions and included representation from the District Councils and other public sector organisations. The Monitoring Officer to check the status of each of these bodies and inform the members of the Constitution Committee.
- e) Remote Meetings Protocol and Procedure Rules – Part 5 (page 99 of the agenda pack)
The protocol sets out the Council rules relating to remote meetings. Members requested that it be highlighted prominently at the start of the Constitution that Council meetings were currently operating under the Local Authorities and Police and Crime Panels (Coronavirus) Regulations 2020.
- f) Planning Committee - Part 3, Section 3.6, Table 3.05 (page 29 of the agenda pack)
To adjust 3 in the table to read 'Power to grant planning permission for development already carried out (retrospective planning permission).'
- g) Member training
Members were statutorily required to undergo training before they sat on quasi-judicial committees such as the Planning Committee. There was no statutory requirement for members to undergo training in their role as Corporate Parents but they were strongly encouraged to attend training sessions. Cllr Richard Boyles, Cabinet Member for Children's Safeguarding

Minutes subject to their acceptance as a correct record at the next meeting

and Early Years, stated that it was not the intention to make training mandatory but for members to do it because they wanted to.

- h) Write-off of debts – Part 3, Section 5 (Scheme of Delegation), DCR 4 (page 57 of the agenda pack)

The Monitoring Officer to check the position regarding the financial limit for the writing off of debts by the Executive Director of Corporate Resources.

RESOLVED TO RECOMMEND to the Council that the changes to the Constitution highlighted in the report be approved subject to the changes highlighted at b), c), e) and f) above.

The meeting ended 3.40pm

Chair

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Executive Decision Making by an Officer with Delegated Powers

Decision to be taken by: Rob Ayliffe, Monitoring Officer

Pursuant to an Authorisation from: Not applicable

Report title: Update to the Gloucestershire County Council Constitution

The decision	<i>To update the constitution with effect from 1 January 2021 to reflect changes to the Council's Senior Management Structure.</i>
Background documents	<u>Papers for Appointments Committee on 14 September 2020</u>
Reasons for the decision	<i>These changes are necessary to reflect the revised Senior Management Structure as agreed by the Appointments Committee on 14 September 2020 and implemented with effect from 1 January 2021.</i>
Resource implications	<i>None</i>
Who has been consulted?	<i>Not Applicable</i>
What were their comments?	
<i>Not applicable</i>	
Background/Context	
<p>On 14 September 2020, the Appointments Committee agreed to implement a new senior management structure that combined the previous roles of</p> <ul style="list-style-type: none"> • Executive Director of Adult Social Care • Director of Public Health <p>into the new role of Executive Director of Adult Social Care and Public Health (incorporating the statutory roles of Director of Adult Social Services and Director of Public Health).</p> <p>This new structure will take effect on 1 January 2021, and therefore needs to be reflected from that point in time in the relevant sections of the Council's constitution including, in particular, the Scheme of Delegation.</p>	

The constitution affords me the authority (under delegation MO2) to amend the Constitution in any way whatsoever in order to secure compliance with the law and the convenient, efficient and effective discharge of any Council function.

This decision will be reported to the Constitution Committee on 18 January 2021, and taken to County Council for ratification on 17 February 2021.

Alternative options considered and why they were rejected

Not applicable

Risk Analysis

Given that the Council is currently in the midst of an international pandemic, it is vital that there is clarity over who has authority to take particular decisions, particularly those that relate to the statutory roles of Director of Adult Social Services and Director of Public Health. These updates seek to provide that clarity.

Equalities considerations

Not applicable

Has a Due Regard Statement been completed? No

Has any conflict of interest been declared by any Cabinet Member consulted on the decision?

No

If any conflict of interest declared, was a dispensation granted by the Audit and Governance Committee of the Council?

Date of dispensation: N/A

Does this decision report form or any supporting papers provided contain confidential or exempt information?

No

Does this decision need to be published on the GCC website?

Yes

In coming to this decision I have given due and full regard to the requirements of the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 (“the Act”) by reference to the law itself and also the relevant Due Regard Statement, which was/were prepared in accordance with the requirements of the Act.

Having fully considered all available information, I have decided to reject any alternative options and take the recommended decision(s), for the reasons set out in this report.

Signed:

A handwritten signature in black ink, appearing to read 'Rob Ayliffe', written in a cursive style.

Rob Ayliffe, Monitoring Officer

Date: 21st December 2020

Contact details for further information:

Officer: Rob Ayliffe

Tel: 01452 328506

Email: rob.ayliffe@gloucestershire.gov.uk

Appendix - Monitoring Officer Changes to the Constitution

PART 2 - ARTICLES OF THE CONSTITUTION

Article 13 - Officers

13.01 Management structure

13.01.1 General

The Council will engage Officers to enable it to carry out its functions.

13.01.2 Statutory Officer Posts

Position	Legislation	Name
Head of Paid Service	Local Government and Housing Act 1989 – Section 4	Peter Bungard
Chief Finance Officer	Local Government Act 1972 – Section 151	Steve Mawson
Monitoring Officer	Local Government and Housing Act 1989 – Section 5	Robert Ayliffe
Director of Adult Social Care	Local Authorities Social Services Act 1970 – Section 6	Sarah Scott
Director of Children’s Services	Children’s Act 2004 – Section 18	Chris Spencer
Director of Public Health	National Health Service Act 2006 – Section 73A	Sarah Scott
Statutory Scrutiny Officer	Local Government Act 2000 – Section 9FB	Simon Harper
Data Protection Officer	General Data Protection Regulations Articles 37 to 39. Data Protection Act 2018 Part 3, Chapter 4, sections 69-71	Jenny Grodzicka

PART 3 - RESPONSIBILITY FOR FUNCTIONS

3.2 APPOINTMENTS COMMITTEE

The purpose of the Appointments Committee is to enable Members to play a full role in deciding which persons should be employed, or not, as the Council's most senior Officers and to determine terms of employment.

Table 3.02: The duties of the Appointments Committee

To be responsible for:
1. Recommending to the full Council the appointment (on a permanent or temporary or acting up basis) of the Chief Executive/Head of Paid Service.
2. Determining any disciplinary matters short of dismissal in relation to the Head of Paid Service, Monitoring Officer and Chief Financial Officer.
3. Making recommendations to full Council regarding dismissal of the Head of Paid Service, Monitoring Officer and Chief Financial Officer.
4. The appointment (on a permanent or temporary or acting up basis) of the Chief Finance Officer, Monitoring Officer, the Chief Fire Officer and all Executive Directors, including the statutory posts of Director of Children's Services, Director of Adult Social Care and Director of Public Health.
5. The dismissal of the Chief Fire Officer, the Executive Director of Children's Services, the Executive Director of Adult Social Care and Public Health and the Executive Director of Economy, Environment and Infrastructure.
6. Determining the terms of employment and any variation to those terms of employees of the Council including terms of employment and exercising employer discretions in relation to pensions.
7. Subject to any other provisions of the Council's Constitution, determining any other matters affecting employees of the Council.

Appointments Committee Membership:

6 County Councillors

1. At least one of whom must be a Member of the Cabinet;
2. At least one of whom should be a Cabinet Member whose portfolio of duties includes responsibility for the service in which an appointed Officer would be employed. This requirement should be met by a County Councillor appointed to membership of the Appointments Committee being substituted by the appropriate Cabinet Member of the same political party in order to meet political balance requirements. This requirement

will not apply in connection with the appointment (on a permanent or temporary or acting up basis) of the Chief Executive/Head of Paid Service (including their terms and conditions of employment and any variation to those terms and conditions). Failure to comply with this requirement will not invalidate any proceedings of the Appointments Committee.

3. For decisions relating to the conduct and capability of those officers listed under items 2 and 3 in Table 3.02 above the Appointments Committee will operate through a politically-balanced sub-committee acting as an Investigating and Disciplinary panel comprising up to 5.
4. For decisions on the appointment of those officers detailed at item 4 in Table 3.02 above the Appointments Committee will operate through a sub-committee acting as an interviewing panel comprising up to 5 (politically balanced).
5. Council has resolved that for joint appointments with the NHS in Gloucestershire, which are within the remit of the Appointments Committee, a sub-committee should be established comprising up to 5 members to be drawn from the Appointments Committee's membership and shall be politically balanced.

Note 1: Reference should be made to the consultation required under paragraph 2 of the Officer Employment Rules to be found in Part 4 of the Constitution.

Note 2: There is granted to the Chief Executive express delegated authority (in consultation with Cabinet Members, Group Leaders and relevant Scrutiny Chair) to appoint on an interim basis to the position of Director within the employment of the Council for a maximum period of up to six months.

3.12 HEALTH AND WELLBEING BOARD

In accordance with the requirements of the Health & Social Care Act 2012 (“the Act”) the Council has established the Health and Wellbeing Board as a committee of the Council. Its duties/terms of reference are:

1.	For the purpose of advancing the health and wellbeing of the people of Gloucestershire to encourage persons who arrange for the provision or delivery of any health or social care services in the county to work in an integrated manner
2.	To encourage persons who arrange for the provision of any health or social care services in the county and persons who arrange for the provision or delivery of any health-related services in the county to work closely together.
3.	Pursuant to section 116 of the Local Government and Public Involvement in Health Act 2007 to prepare and publish a joint strategic needs assessment for the county
4.	To prepare and publish a strategy for meeting the needs identified in the joint strategic needs assessment and ensuring a strategic planning framework is in place
5.	To provide such advice assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 in connection with the provision of such services
6.	To encourage persons who arrange for the provision or delivery of any health-related services in the county to work closely with the Board

Membership of the Health and Wellbeing Board comprises:

- Chair of Clinical Commissioning Gloucestershire
- Additional Clinical Commissioning Gloucestershire member
- Accountable Officer of Clinical Commissioning Gloucestershire
- A District Council elected representative from Leadership Gloucestershire
- Four County Councillors, as appointed by the Leader of the County Council
- The Executive Director of Adult Social Care and Public Health , Gloucestershire County Council
- The Executive Director of Children’s Services, Gloucestershire County Council
- Police and Crime Commissioner
- A representative of the local Healthwatch
- A representative of the NHS Commissioning Board Local Area Team
- A District Council Chief Officer and link for housing related business
- Chair of Gloucestershire Care Services NHS Trust
- Chair of 2gether NHS Foundation Trust
- Chair of Gloucestershire Hospitals NHS Foundation Trust
- Chief Constable of Gloucestershire
- Chief Fire Officer for Gloucestershire

Note 1: Political proportionality will not be applied

Note 2: Voting – Individual members of the Board shall be non-voting. Instead each member organisation or group of organisations will have one vote. The nominee of each organisation must be present to vote. There will be no absence voting provision. The Chair will have the casting vote.

Voting organisations are:

- Gloucestershire Clinical Commissioning Group, Gloucestershire Care Services NHS Trust, Gloucestershire Hospitals NHS Foundations Trust and 2gether NHS Foundation Trust
- Gloucestershire County Council
- HealthWatch
- District Councils (one vote for all six)
- NHS England
- PCC and Gloucestershire Constabulary

Note 3: For the purpose of enabling it to carry out its functions the Health and Wellbeing Board may request the Council, the Local Healthwatch, the Clinical Commissioning Group or other member of the Board to supply it with information specified in the request.

Note 4: Terms of Office – Each term of office will run for the term of the County Council unless a member organisation advises otherwise.

Note 5: Substitutions: There will be no substitutions, if an organisation is unable to send its representative a named substitute may be nominated for that meeting only. Notice of this shall be given by the absent Board member to the committee administrator in advance of the meeting. Ideally a week's notice shall be given to allow all Board members to be advised of the substitution. Procedural Standing Order 28 shall not apply.

Note 6: Quorum: The quorum for meetings of the Health and Wellbeing Board is that one quarter of the membership be present and at least 4 be voting member organisations.

SECTION 5 - SCHEME OF DELEGATION

5.1 The Council is required to make very many executive and non-executive decisions every day. It would be quite impracticable to make all or many of these decisions through full Council, the Cabinet and other Council bodies. The full Council, Cabinet and, the Leader are able to delegate powers to the Cabinet, individual Cabinet Members and to Officers. Such powers are called “delegated powers” and the distribution of responsibility amongst the Leader of the Council, Cabinet Members and Officers for making decisions under delegated powers is set out in this Scheme. Such powers must be exercised in accordance with the conditions specified in paragraphs 5.2 to 5.8 below.

This scheme does not delegate to the Leader of the Council, Cabinet Members and Officers:

5.1.1 Except under delegation CE1 any matter reserved to full Council (see Tables 1 and 2 of this Part of the Constitution);

5.1.2 Any matter that by law may not be delegated to the Leader of the Council, a Cabinet Member or Officer.

5.2 Delegated powers must be exercised in accordance with:

5.2.1 The law;

5.2.2 All of the rules, procedures, codes and protocols contained in the Council’s Constitution;

5.2.3 Council policy.

5.3 Before exercising delegated powers, the Leader of the Council, Cabinet Members and Officers must satisfy themselves that the decision is:

5.3.1 Authorised by law and, if in doubt, will consult with the Assistant Director of Legal Services;

5.3.2 Within budget (allowing for such variance as may be permitted under the Council’s Financial Regulations) and if in doubt will consult with the Executive Director of Corporate Resources.

5.4 Before exercising delegated powers the Leader of the Council, Cabinet Members and Officers must consider whether it would be advantageous and/or prudent to consult with the Leader of the Council, another Cabinet Member or any other Member of the Council and/or Officer, and whenever they consult with another will carefully consider

any response that they receive. In any event, consultation will always be required with all persons referred to in the column "Consultation under paragraph 5.4" in the table below headed Particular Delegations to Officers and in accordance with paragraph 5.9.

5.5 Before exercising delegated powers, Officers will consider whether the use of a power might be regarded as sensitive or contentious by Members of the Council and if it appears that this will be the case, they will:

5.5.1 In respect of any executive function, consult with the Leader of the Council or Cabinet Member with responsibility for that area;

5.5.2 In respect of any non-executive function, consult with the Chair and other political groups' Lead Members of the committee having responsibility for that matter and any Member of the Council whose electoral division will be affected by the exercise of delegated powers.

5.6 In the absence of a Cabinet Member or if a Cabinet Member is unable to or should not exercise a delegated power, the Leader of the Council may exercise that delegated power.

In the absence of the Leader of the Council or if the Leader of the Council is unable to or should not exercise a delegated power or other power under the Constitution, any Cabinet Member or the Cabinet may exercise those powers.

5.7 The Officers named in this scheme shall be deemed to include any other Officer of the Council that they authorise in writing to exercise delegated powers on their behalf provided:

5.7.1 An Officer named in this scheme must maintain a written record of any other Officer they have authorised to exercise delegated powers on their behalf and any limitation that they have imposed on the extent and duration or other exercise of those powers in addition to those specified in this scheme;

5.7.2 A copy of the information specified in paragraph 5.7.1 must be given to the Monitoring Officer before another Officer exercises a power on behalf of a named Officer and the Monitoring Officer shall place this information on a register that, in accordance with Section 100G of the Local Government Act 1972, will be maintained for inspection by the public.

5.8 The Leader of the Council, Cabinet Members and Officers must maintain a complete and permanent written record of all executive decisions, which must (as a minimum) include:

5.8.1 A dated record of that decision;

- 5.8.2 A record of the reasons for the decision;
- 5.8.3 Details of any alternative options considered and rejected at the time by the person when making the decision;
- 5.8.4 A record of any consultation with Members and/or Officers
- 5.8.5 A record of any conflict of interest declared by any Executive Member who is consulted in relation to the decision; and
- 5.8.6 In respect of any declared conflict of interest a note of any dispensation granted by the Audit and Governance Committee of the Council.

Note: Records of all executive decisions are required to be available for public inspection after the decision has been taken, in the same way as Cabinet papers.

- 5.9 There shall be delegated to the Leader of the Council and each Cabinet Member all executive functions, duties or powers of the Council within their area of responsibility as specified in paragraph 4.4 of Section 4 of the Constitution. In exercising such functions, duties or powers, the Leader and Cabinet Members will consult with the Director or Head of any service area affected by their decision.
- 5.10 The functions, powers and duties identified in the table below headed “Particular Delegations to Officers” are delegated to Officers of the Council. Any Officer referred to in the “Appropriate Officer” column of the table below and to whom powers have been delegated, shall include any other person subsequently taking on that Officer’s responsibilities.
- 5.11 The Executive Director: Children and Families has responsibility for the statutory functions of the Director of Children’s Services in accordance with Section 18 of the Children Act 2004.
- 5.12 The Officer designated as Director of Adult Social Services in accordance with Section 6(A1) of the Local Authority Social Services Act 1970 (as inserted by paragraph 2(2) of Schedule 2 to the Children Act 2004) shall be the Executive Director of Adult Social Care and Public Health

Particular Delegations to Officers

Decision Category Number	Function, duty or power to be delegated	Appropriate Officer	Consultation under paragraph 5.4
CE1	To take any decision that could be taken by the Council, the Cabinet, any committee or any Officer (provided such action is taken in accordance with the law, Rules on Access to Information about the County Council's Business and the Cabinet Procedure Rules).	Chief Executive.	<p>Council function - Chair and Leader of the Council.</p> <p>Cabinet function - Leader of the Council or Cabinet Member, as appropriate.</p> <p>Committee function - Chair and Lead Members</p>
CE2	To be the Proper Officer of the County Council in relation to Section 270(3) of the Local Government Act 1972.	Chief Executive	N/A
CE3	To fill casual vacancies on committees, in accordance with Sections 15-17 of the Local Government & Housing Act 1989.	Chief Executive	Group leader of the political group entitled to appoint a Member to any committee by virtue of any vacancy that has arisen
CE4	To be the Returning Officer for County Council elections and undertake the functions of the Council	Chief Executive	N/A

	in relation to elections.		
CE5	To permanently appoint, determine the terms of appointment and terminate the appointment of all staff (except those Officers within the responsibility of the Appointments Committee) under Section 112 of the Local Government Act 1972.	Chief Executive	Executive Director of Corporate Resources
	To appoint on a temporary or acting up basis for up to one year, determine the terms of appointment and terminate the appointment of those Officers within paragraph 2 of the duties of the Appointments Committee.		All Cabinet Members Group Leaders and relevant Scrutiny Chair.
	To appoint on an interim basis and for a maximum period of up to six months to the positions of those officers within paragraph 2 of the duties of the Appointments Committee.		All Cabinet Members Group Leaders and relevant Scrutiny Chair.
DCR 1	To be responsible for and do anything required for the proper administration of the financial affairs of the Council.	Executive Director of Corporate Resources	N/A
DCR 2	To make arrangements for the financing of the capital programme of the Council by borrowing, leasing or other arrangements.	Executive Director of Corporate Resources	Leader of the Council or Cabinet Member, as appropriate.
DCR 3	The functions, duties or powers of the Pensions Committee.	Executive Director of Corporate Resources	Chair of the Pensions Committee for all decisions with financial implications over £250,000

DCR 4	To formulate and issue general guidelines to Officers on financial matters including insurance and the writing-off of debts.	Executive Director of Corporate Resources	N/A
DCR 5	To determine arrangements for treasury management in accordance with the Council's policy statement and approved treasury management practices and where relevant CIPFA's Standard of Professional Practice on Treasury Management.	Executive Director of Corporate Resources	N/A
DCR 6	To make arrangements for the Internal Audit of the Council.	Executive Director of Corporate Resources	N/A
DCR 7	To manage the County Fund and all subsidiary accounts and any reserve or other fund.	Executive Director of Corporate Resources	N/A
DCR 8	To operate the Local Government Superannuation Regulations, including the exercise of discretion under those Regulations.	Executive Director of Corporate Resources	Relevant Cabinet Member for all decisions with financial implications over £250,000
DCR 9	To implement national and local pay awards and increase payments under the Pension Increase Act.	Executive Director of Corporate Resources	N/A
DCR 10	To make finance leasing arrangements and authorise and make any other financial transaction including the borrowing and lending of money.	Executive Director of Corporate Resources	Relevant Cabinet Member for all decisions with financial implications over £250,000
DCR 11	To authorise the writing-off of stock, other than	Executive Director of Corporate Resources	N/A

	through fair wear and tear.		
DCR 12	To effect adequate insurance cover for the Council.	Executive Director of Corporate Resources	N/A
DCR 13	To exercise all other functions relating to the Financial Management of the Council.	Executive Director of Corporate Resources	N/A
DCR14	To acquire and dispose of any interest in land and manage the Council's estate.	Executive Director of Corporate Resources	Relevant Cabinet Member for all decisions with financial implications over £250,000
DCR 15	To manage the provision of information technology services to the Council.	Executive Director of Corporate Resources	N/A
DCR 16	To manage the function relating to Communications and Engagement	Executive Director of Corporate Resources	N/A
DCR 17	To exercise all other functions relating to support services except for functions falling within decision categories ALDS 1 to 3 and MO1	Executive Director of Corporate Resources	N/A
DCR 18	To secure the proper management of the Council's human resources except for functions falling within decision categories CE5 and ALDS 1 to 3	Executive Director of Corporate Resources	N/A
DCR 19	To exercise all other functions relating to the following services: Planning, Performance & Change; Democratic Services; Information Management; Corporate Complaints; Archives; the Executive and Cabinet Offices; the SHE team; and Legal Services, except for	Executive Director of Corporate Resources	N/A

	functions within decision categories ADLS1 to 5		
DPPG1	The functions of the Safety & Licensing Committee under paragraphs 2 and 3 of its terms of reference.	Director of Policy, Performance & Governance	N/A
DPPG2	To publish standards for the whole Council, which will secure the efficient processing of information.	Director of Policy, Performance & Governance	N/A
MO1	To make payments or award other benefits under Section 92 of the Local Government Act 2000 (payments in respect of maladministration and related discretionary payments).	Monitoring Officer	Chief Executive, Chief Financial Officer and/or Director responsible for the service in respect of which a payment or other benefit is awarded.
MO2	To amend the Constitution in any way whatsoever in order to secure compliance with the law and the convenient, efficient and effective discharge of any Council function. Such amendment to be reported to the Constitution Committee and reported to and ratified by the full Council (in respect of any non-executive function) or the Cabinet (in respect of any executive function).	Monitoring Officer	Chief Executive and any Director whose service is affected by any amendment to the Constitution.
MO 3	The functions of the Constitution Committee to advertise for, interview and appoint persons as members of an Independent Remuneration Panel.	Monitoring Officer	Lead Members of the Constitution Committee.

CFO1	To manage the operations of the Gloucestershire Fire and Rescue Service.	Chief Fire Officer	Most relevant Cabinet Member(s) or Chief Executive for all decisions with financial implications over £250,000
CFO2	To exercise all other functions relating to the areas of responsibility of the following services: Trading Standards, Coroners and Civil Protection	Chief Fire Officer	Most relevant Cabinet Member(s) or Chief Executive for all decisions with financial implications over £250,000
DCFO1	Without prejudice to the powers of the Director of Economy, Environment and Infrastructure to sign warrants and authorise Officers to enforce the legislation referred to in the Trading Standards Legislation Master List held by the Assistant Director of Legal Services and to issue statutory notices in relation to that legislation.	Deputy Chief Fire Officer	N/A
DEEI1	The functions of the Safety and Licensing Committee, except those within paragraphs 2, 3, 4 and 7 of its terms of reference and decision categories ADLS1 to 3.	Executive Director of Economy, Environment and Infrastructure	N/A
DEEI2	To enforce the Trading Standards, Food, Animal Health and other legislation referred to in the Trading Standards Legislation Master List held by the	Executive Director of Economy, Environment and Infrastructure	N/A

	Assistant Director of Legal Services and issue statutory notices in relation to that legislation		
DEEI3	To exercise the functions of the Commons and Rights of Way Committee as Local Highway Authority Commons and Rights of Way Committee terms of reference 3 to 19.	Executive Director of Economy, Environment and Infrastructure	N/A
DEEI4	To be the Proper Officer in relation to functions under the Highways Act 1980.	Executive Director of Economy, Environment and Infrastructure	N/A
DEEI5	To exercise the functions falling within Planning Committee terms of reference 1 to 14 and 16 to 25, except decision categories ADLS1 to 3 of this Scheme of Delegation.	Executive Director of Economy, Environment and Infrastructure. (Note: Where the Executive Director is an Officer whose responsibilities include any aspect of the management of any land or building to which an application made by the Council relates, or is responsible for a function (other than as planning authority) materially affected by any planning matter, this power is delegated to the appropriate senior officer).	Assistant Director of Legal Services.
DEEI6	To exercise the functions of the Traffic Regulation Committee (terms of reference 1 to 12), except those falling within decision categories ADLS1 to 3 of this Scheme of Delegation.	Executive Director of Economy, Environment and Infrastructure	Assistant Director of Legal Services.
DEEI7	To exercise all other functions relating to the areas of responsibility of the following services: Development, Planning,	Executive Director of Economy, Environment and Infrastructure	Relevant Cabinet Member for all decisions with financial

	Transport & Community Infrastructure, Road Safety, , Registration, Libraries and Waste Management except decision categories ADLS 1 to 3 (although, in cases when only an Officer other than the Assistant Director of Legal Services may institute proceedings, the Director of Economy, Environment and Infrastructure may institute a prosecution once it has been authorised under ADLS2).		implications over £250,000
DASS1	The functions of the Safety and Licensing Committee under paragraph 7 of its terms of reference.	Executive Director of Adult Social Care and Public Health	N/A
DASS2	To exercise all other functions relating to the areas of responsibility of Adult Social Services except decision category ADLS 1to 3.	Executive Director of Adult Social Care and Public Health	Relevant Cabinet Member for all decisions with financial implications over £250,000
DCS1	The functions of the Safety and Licensing Committee under paragraph 4 of its terms of reference.	Executive Director of Children's Services	N/A
DCS2	To exercise all other functions relating to the areas of responsibility of Children's Services, Education and Learning except decision category ADLS 1 to 3 and in relation to the commissioning of Children's Services.	Executive Director of Children's Services	Most relevant Cabinet Member(s) for all decisions with financial implications over £250,000
ADLS1	To authorise the institution, defence withdrawal or	Assistant Director of Legal Services	Director of any service area

	settlement of any claims or legal proceedings, civil or criminal, the issue of cautions and to authorise the enforcement of any order made in those proceedings.		affected by such a decision.
ADLS2	To authorise Officers of the County Council to prosecute or defend or appear in any legal proceedings (NB: The Assistant Director of Legal Services will <i>authorise</i> every decision to prosecute or defend such proceedings, including those which by law may only be <i>instituted</i> by another Officer).	Assistant Director of Legal Services	Director of any service area affected by such a decision.
ADLS3	To authorise the withdrawal or settlement of any dispute between the Council and any third party, including those that have been referred to any statutory or non-statutory Tribunal or arbitrator (this includes authorising ex gratia payments not otherwise delegated).	Assistant Director of Legal Services	Director of any service area affected by such a decision.
ADLS4	To be the adjudicator for disputes under the Local Government Pension Scheme.	Assistant Director of Legal Services	N/A
ADLS5	The functions of the Commons and Rights of Way Committee under paragraphs 1, 2 and 19 or its terms of reference.	Assistant Director of Legal Services	Lead members
DPH1	To exercise the functions conferred on the Director of Public Health by section	Executive Director of Adult Social Care and Public Health	

	73A of the National Health Service Act 2006 for the improvement of the health of the people of Gloucestershire		
GEN1	To enter into any contract for works and the supply of goods and services.	Chief Executive, Executive Director, Director, Assistant Director or Heads of Service or equivalent in relation to their service areas.	Relevant Cabinet Member for decisions with financial implications in excess of £250,000
GEN2	To take any decision under the Regulation of Investigatory Powers Act 2000.	Executive Director, Director, Assistant Director or Head of Service or equivalent in relation to their service areas.	N/A
GEN3	To do anything that is required for the effective management of staff and other resources within each Service of the Council.	Executive Director, Director, Assistant Director or Head of Service or equivalent in relation to their service areas.	N/A
GEN4	To be the Proper Officer in relation to each Service of the Council	Executive Director, Director, Assistant Director or Head of Service or equivalent in relation to their service areas.	Relevant Cabinet Member for decision with financial implications in excess of £250,000

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