

CHANGES TO EXECUTIVE ARRANGEMENTS MADE BY THE LEADER

REPORT OF: DIRECTOR OF RESOURCES AND ORGANISATIONAL DEVELOPMENT
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Wards Affected: All
Key Decision: No
Report to Council
27 March 2024

Purpose of Report

1. To notify the Council of changes to executive arrangements made by the Leader as required under Rule 4 of the Cabinet Procedure Rules.

Recommendations

2. **Council is recommended to note the changes to executive arrangements set out in this report.**
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Background

3. The Council is the freeholder of a number of properties within the District. Many of these properties are let on commercial terms to tenants. As property values have increased over the years, rental yields have also increased.
4. Current delegations to officers (set out in paragraph 29 of the Scheme of Delegation) are out-of-step with current market conditions, meaning that many decisions on commercial leases require a full Cabinet decision. This can slow decision making, and in some cases, lead to potential tenants pulling out.

Changes to Executive Arrangements

5. By law, the arrangements for discharge of executive functions are for the Leader of the Council to determine. This is reflected in Rule 4(b) of the Cabinet procedure rules, which states that:

“the Executive Leader is able to decide whether to delegate Executive functions and may amend the Scheme of Delegation relating to Executive functions at any time during the year.”

6. Having given the appropriate notice to the relevant officers and the Monitoring Officer, the Leader has decided to make the following changes to the executive arrangements, extending the limits of delegation to officers on property matters:

“All actions and decisions relating to Council owned land and buildings EXCEPT:

- a) *In relation to the granting or surrender of leases where the rental exceeds £100,000 per annum, which shall be delegated to the Director of People & Commercial Services in consultation with the Assistant Director, Governance.*
- b) *In relation to disposals where land/buildings have not been declared surplus and the value is over £100,000*
- c) *The relevant Cabinet Member shall be consulted on all commercial leases at the Orchards.*

Are delegated to the Assistant Director, Commercial Services and Contracts, in consultation with the Assistant Director, Governance”.

Other Options Considered

7. The Leader also considered whether there should be no cap on the value of leases delegated to officers. Ultimately the rationale for the £100,000 cap on the delegation to the Assistant Director was that it aligned with the value above which asset disposals are required to be reported to Cabinet.

Financial Implications

8. There are no direct financial implications of this amendment.

Risk Management Implications

9. Any risks to the accountability of decision-making in relation to higher value leases are mitigated because in the exercise of the delegation, both the Director and Assistant Director must consult with the Monitoring Officer. Were there to be any concerns regarding financial, legal, or other risk at that stage, these would be highlighted and (if needed) referred to the s.151 officer for a view.

Sustainability Implications

10. There are not considered to be any implications for the Sustainable Economy Strategy or wider sustainability matters.

Equalities and Customer Service Implications

11. None.

Other Material Implications

12. None.

Background Papers

None