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**SCHEME OF DELEGATION TO OFFICERS**

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**Responsible Cabinet Member – Councillor John Williams, Leader**

**Responsible Director – John Buxton, Director of Development and Environment**

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**Purpose of Report**

1. To consider a number of changes to the Scheme of Delegation to Officers.

**Background**

2. A number of proposed amendments and additions to the Scheme of Delegation of the Director of Development and Environment, relating to Estates and Property Management, are detailed below :-

<b>Director of Development and Environment (F) Estates and Property Management</b>			
<b>Current/New Number</b>	<b>Current Power</b>	<b>Amended Power and Reason</b>	<b>Formally Reported</b>
3.	Let properties where the rental offered reaches or exceeds a target valuation previously approved by the Council.	Let properties where previously approved by the Council. <b>Reason</b> – To speed up the process of re-letting properties.	
4.	Renew protected tenancies under the Landlord and Tenant Act 1954.	Renew protected tenancies under the Landlord and Tenant Act 1954 and unprotected tenancies where favourable to the interests of the Council. <b>Reason</b> – To cater for tenancies contracted out of the Landlord and Tenant Act 1954.	
7.	Approve changes of use where planning permission has previously been granted.	Approve changes of use where planning permission has previously been granted or the use is considered deemed consent in line with	

		the Use Classes Order. <b>Reason</b> – To cater for minor changes of use covered by deemed consent.	
8.	Accept offers and tenders for land and buildings (in consultation with the Cabinet Member with the Resource Management Portfolio) which reach or exceed the guide price previously approved by the Council.	Accept offers and tenders for land and buildings in consultation with the Cabinet Member with the Resource Management Portfolio. <b>Reason</b> – To provide greater flexibility on disposals.	✓
12.	To release, relax or vary restrictive covenants on land or property in consultation with the Cabinet Member with Resource Management Portfolio.	To release, relax or vary restrictive and positive covenants on land or property in consultation with the Cabinet Member with Resource Management Portfolio. <b>Reason</b> – To cater for positive covenants.	✓
14.	Grant and accept licences, easements and wayleaves where favourable to the interests of the Council.	New power. <b>Reason</b> – To help streamline the process where favourable to the interests of the Council.	✓
15.	Acquire land, for strategic purposes where the consideration does not exceed £10,000.	New power. <b>Reason</b> – To help streamline the process where favourable to the interests of the Council and to be able to respond to strategic opportunities.	✓
16.	Dispose of land not held for strategic purposes where the open market value does not exceed £10,000.	New power. <b>Reason</b> – To help streamline the process where favourable to the interests of the Council.	✓
17.	Regularise claims of adverse possession and prescriptive easements by transfer of title following the advice of the Borough Solicitor.	New power. <b>Reason</b> – To regularise the Council's legal position.	
18.	Acquire land and/or rights	New power.	✓

	in connection with approved schemes for example highway schemes.	<b>Reason</b> – To streamline the acquisitions process.	
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### **Outcome of Consultation**

3. The Council's departments were consulted on the Scheme of Delegation to Officers and the amendments identified by the Development and Environment Department, are as detailed in paragraph 2 above.

### **Legal Implications**

4. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

### **Section 17 of the Crime and Disorder Act 1998**

5. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

### **Council Policy Framework**

6. The issues contained within this report are required to be considered by Council.

### **Recommendation**

7. That the amendments to the Scheme of Delegation to Officers, as detailed in paragraph 2 above, be approved.

### **Reasons**

8. To allow the Scheme of Delegation to Officers to be amended.

**John Buxton**  
**Director of Development and Environment**

### **Background Papers**

E-Mail to departments dated 13th April, 2006, and responses dated 3rd and 8th May, 2006.

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