

Section: 3 Barnet Council Delegation

Council Delegations to full Council, Cabinet Members, the Cabinet Member for Community Services and the Head of Housing

3.1 Introduction

3.1.1 These delegations set out in below are included for information only, as they may impact on some Barnet Homes operational activity. In the event that these delegations need to be invoked, Barnet Homes offices shall prepare reports in accordance with the Council's procedures to be passed to the Head of Housing who will be responsible for securing decisions/actions.

3.2 Head of Housing Responsibilities

The Head of Housing will hold ultimate responsibility for the Housing Revenue Account, HRA business planning, the delivery of the agreement with the ALMO, strategic housing functions (including strategy, partnership working, estate regeneration delivery, housing needs and resources, and housing benefits). The Head of Housing and Deputy Director of Resources and CFO delegated powers are set out below.

Council Functions

The Local Government Act 2000 divides the functions of the local authority between the full Council (and its Committees) and the Executive. The Council is no longer the body responsible for all the activities of the local authority in the borough.

The Council's statutory duties are now broadly:

1. Approval of the budget and statutory policy framework.
2. Constitutional and quasi-legislative functions.
3. Dealing with applications for licences, approvals, consents, permissions (including planning permission) and registrations; and related regulation and enforcement action.

3.2.1 All other functions of the local authority are functions of the Executive, i.e. the Leader and Cabinet, and cannot be exercised by the Council (Section 13(10) Local Government Act 2000).

3.2.2 This part of the Constitution is the Scheme of Delegation that sets out the detailed arrangements for the allocation and discharge of responsibilities.

3.2.3 The principles of the Scheme of Delegation are that functions are delegated from the Council and the Executive to subordinate bodies and persons by exception rather than specifically.

Details are set down in Part 3 of the Council's Constitution, Responsibility for Functions.

3.3 Delegated Powers to Cabinet Member for Community Services

3.3.1 Responsibilities

To lead on budget, policy formulation, implementation in relation to housing and neighbourhood development and environmental health.

3.3.2 Delegation

The general powers delegated to Cabinet Members are set out below:

Certain functions are delegated to

- Area Sub-Committees as set out in paragraph 3.10 below.
- Officers, in consultation with the cabinet member, as set out in paragraph 6 of Part 3 of the Constitution.

3.4 Delegated Powers to Head of Housing and deputy Director of Resources and CFO

3.4.1 General Powers

Chief Officers (i.e. the Chief Executive, Directors and Heads of Service as listed in Article 12) can take decisions, in consultation with the Cabinet Member concerned:

- to discharge the functions allocated to them or dealt with by them or their staff, except for matters specifically reserved to Executive Members, Cabinet meeting, Cabinet Committees, Committees or Council.
- in all matters where they have managerial or professional authority
- to authorise and accept quotations for contracts up to £75,000 for approved schemes with sufficient estimate provision.
- to agree settlements of up to £1,000 subject to budget and audit trails.
- to agree financial settlement where recommended by the Ombudsman or a Court.
- without exception, in cases of emergency.

Explanatory Note

This covers emergency decisions that were not anticipated within the budget or PMP but nevertheless relate to everyday business, not major changes/decisions outside the approved budget and 11 statutory plans

They may use whatever means they consider appropriate to discharge those functions, including

- incurring expenditure and collecting income
- engaging and deploying staff
- deploying other resources within their control
- placing contracts and procuring other resources within or outside the Council.

3.4.2 Besides having delegated powers to deal with executive matters, specific chief officers have powers to deal with regulation, licensing and enforcement matters which are functions for which the Council is responsible.

3.4.3 All Directors and Chief Officers will draw up a list of specific powers delegated to them which is published on the intranet.

3.4.4 **Specific Powers**

In addition, in consultation with the Cabinet member concerned:

- Strategic Directors have the power to agree virements up to £100,000 between Budget Heads, and
- Heads of Service, the power to agree virements up to £100,000 within a budget head.

3.4.5 Subject to a report being submitted to Resources Cabinet Committee on the action taken, to write off debt up to £5,000, in consultation with the Borough Solicitor.

[Note: Write offs over £5,000 are reserved to Cabinet Resources.]