

DELEGATED POWERS TO THE DIRECTOR OF CORPORATE RESOURCES

The following Delegated Powers should be read in conjunction with all other relevant parts of the Constitution, in particular –

- The General Scheme of Delegation to Heads of Departments (Part 3)
- The Financial Procedural Rules and Standard Financial Instructions (Part 4F)
- The Contract Procedure Rules (Part 4G)

and Local Conditions of Service.

Officers should also have regard to any departmental rules and conventions before exercising these powers.

NOTE: -

- *Any exercise of a delegated power shall not involve a key decision.*
- *Any delegation to a head of department may be exercised on his or her behalf by any officer authorized by him or her either generally or specifically for the purpose.*

POWER

COMMITTEE/ SUBCOMMITTEE

Pensions

1. Management of Pension Fund Investments

In respect of pension fund investments, power to:

LOCAL PENSION
COMMITTEE
28/02/20

- (a) implement policies agreed by the Local Pension Committee or the Investment Subcommittee;
- (b) approve individual investments within the strategy agreed by the Local Pension Committee or the Investment Subcommittee;
- (c) approve arrangements to obtain single tenders or tenders on a 'cost plus' basis where it is considered by the Director that no advantage would be gained by seeking competitive tenders;
- (d) take action between meetings which is considered urgent after consultation with the Chairman of the Local Pension Committee or his or her nominee, and subject to the details of such action being reported for information to the next appropriate

meeting.

2. **Operation of the Local Government Pension Scheme**

Power to:

EMPLOYMENT
COMMITTEE

- (a) revise pension contribution bandings as appropriate; 30/06/11
- (b) determine applications for flexible retirement on the basis agreed from time to time by the Employment Committee.

3. **Local Government Pension Scheme – Administering Authority Discretions**

Power to agree such future changes to Administering Authority discretions under the Local Government Pension Scheme as the Director considers appropriate.

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30/06/11

4. **Local Government Pension Scheme Complaints**

In respect of applications received by the County Council as the administering authority for the Leicestershire County Council Pension Fund under the Local Government Pension Scheme Regulations 2013 (or such other regulations as come in to force from time to time), power to act as the adjudicator and determine applications at Stage II of the process where the Director of Law and Governance is unable to do so.

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Land and Property

5. **Land Compensation**

Power to negotiate and settle claims for compensation:

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- (a) made by the County Council in relation to its property both freehold and leasehold;
- (b) made against the County Council in relation to its property both freehold and leasehold or work carried out under its statutory powers.

6. Property Management

Power:

CABINET 03/05/11

- (a) to grant, take, surrender, agree, review, vary or otherwise deal with as appropriate any lease, tenancy agreement, hiring arrangement, occupational or other licence of land owned or required by the County Council, subject to any rent of land owned by the County Council being assessed on an open market basis, unless the Director is satisfied a lesser rent or user charge will be beneficial to the local community;
- (b) in respect of county farms, to select tenants and sell milk quotas in accordance with any legislation in force for the time being;
- (c) to agree assignments and the granting of underleases by tenants and to consent or object to improvements carried out by tenants;
- (d) to approve plans whether as landlord or vendor for development of land;
- (e) to grant, take a surrender, agree, review, vary or otherwise deal with as necessary any easements, charges or other interest over land;
- (f) subject to consultation with the Director of Law and Governance, to serve Notices to Quit or to terminate for any purpose.

7. Planning Applications

Power to:

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- (a) submit planning applications and pursue appeals as appropriate in respect of land, whether or not it is in the ownership of the County Council, and whether or not it is intended for the development to be undertaken by the County Council alone or jointly with another party or by another party;
- (b) submit applications for planning permission in respect of land not in the ownership of the County Council and not covered by the provisions of Regulation 3 of the Town and Country Planning Regulations 1992 and to incur such fees as may be necessary.

8. Sales and Acquisitions

Power:

CABINET 15/09/17

- (a) to declare land surplus to requirements, to dispose of it and earmark the proceeds of sale where required for another facility;
- (b) to dispose of land at less than the best value which might reasonably be expected, where either the undervalue is considered to be de minimis or the Director is satisfied the disposal will meet the wellbeing test in the General Disposal Consent in force for the time being, and the following criteria are met:
 - (i) A positive business case for the proposed disposal/transfer;
 - (ii) The proposed use is demonstrated through the business case to be more beneficial to the wider community and locality than alternative uses;
 - (iii) The proposed means of transfer is the most effective way to realise the benefits being sought;
 - (iv) The County Council's interest is protected by appropriate safeguards;
- (c) to authorise the change of use of property;
- (d) to agree accommodation work and allied or associate matters where land is acquired for statutory purposes, subject to the costs being met from the approved capital programme, or as agreed in consultation with the Chief Officer of the Department for which the land has been acquired;
- (e) to take all necessary steps to complete the purchase of land following the making of a Compulsory Purchase Order;
- (f) to acquire replacement land where required by statute (e.g. for a replacement recreation/sports facility) in order to achieve the best value disposal;

Operational Schemes

- (g) to purchase land for operational schemes within the approved capital programme or other operational purposes up to a maximum of £2 million per

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transaction;

[Note:

- 'operational schemes' excludes those schemes identified within the Investing in Leicestershire Programme.

- with regard to the purchase of land to fulfil social care accommodation needs identified in the Social Care Investment Plan the Director of Corporate Resources will, in exercising this delegation, first consult with the relevant Chief Officer(s) and Cabinet Lead Member(s) and comply with those governance arrangements detailed in a report to the Cabinet dated 22 October 2019.]

Investment Schemes

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|------|---|---------------------|
| (h) | to purchase and develop land for investment schemes identified in the Investing in Leicestershire Programme within the capital programme and for other investment purposes: | CABINET
14/09/19 |
| (i) | Up to a maximum of £1m per project (including acquisition and development costs combined but not including any transaction costs); | |
| (ii) | Provided that, for projects over £1m but less than £5m (including acquisition and development costs combined, but not including any transaction costs), such projects have been supported by the Investing in Leicestershire Programme Board. | |

[Note: References to "land" in the above paragraphs include buildings, as well as existing and new rights and interests in both land and buildings.]

9. **Joint Venture and Other Partnership Agreements**

Power to negotiate and agree terms of, and the Director of Law and Governance to sign, any Joint Venture or other development, partnership or collaboration agreement which is considered necessary in connection with the development of County Council land or property, after consultation with the Lead Member for Resources.

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10. **Academy Schools**

Power to agree land and other transfer arrangements where a school becomes an Academy in accordance with any legislation in force

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for the time being.

Transformation

11. **Transformation Programme**

Power, following consultation with the Cabinet Lead Member for Resources, to make changes to the Transformation Programme's delivery mechanism and list of projects within it to allow for flexibility in supporting current and future MTFS savings and to enable opportunities for improvement within the Council to be progressed as they emerge.

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General

12. **Car Leasing**

Power to agree leasing terms and administrative arrangements for a car leasing scheme.

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13. **Safety of Sports Grounds**

Power to exercise the functions of the County Council under safety of sport grounds, fire safety and safety of places of sport legislation in force from time to time, subject in the case of instituting proceedings, to the concurrence of the Director of Law and Governance.

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14. **Trustees**

Power, jointly with the Director of Children and Family Services (in consultation with the Director of Law and Governance), to undertake the duties of Trustees for children and young people who are looked after by the County Council and who receive a capital payment.

Cabinet
26/04/22