

## DELEGATED POWERS TO THE CHIEF EXECUTIVE

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 the 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 Officer may be exercised on his or her behalf by any officer authorised by him or her either generally or specifically for the purpose.*

### POWER

### DELEGATING BODY

#### **Financial Matters**

##### 1. **Members Allowances**

Power to:

- (a) make decisions regarding the payment of allowances where it is not practical to obtain a decision from a “relevant body”.

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- (b) take all necessary steps to maintain the Independent Remuneration Panel to advise the Council on Members’ Allowances on the basis agreed by the Constitution Committee on 26 September 2001, including the power to determine the allowance paid to the Panel members having regard to increases in inflation.

CONSTITUTION  
COMMITTEE 08/03/06

##### 2. **Scale of Election Expenses**

Power to approve the scale of fees to apply at any by elections.

CONSTITUTION  
COMMITTEE 10/03/09

## Member and Other Appointments

### 3. Appointments to relevant Bodies including substitutes

Power to make and terminate appointments to relevant County Council bodies (not including the Cabinet) in accordance with the wishes of the political Group to whom the seat in question has been allocated, subject in the case of those bodies appointed by the Council itself the Group giving one clear working day's written notice to the Chief Executive of its wishes.

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### 4. Appointments to Outside Bodies

Power, after consultation with the Leader and Deputy Leader or their nominees, to approve appointments to outside bodies not covered by other delegations.

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14/06/11

### 5. Honorary Aldermen and Alderwomen

Power to the Chief Executive to take all necessary action relating to the appointment by the Council of Honorary Aldermen and Alderwomen and the participation of Honorary Aldermen and Alderwomen in civic ceremonies and similar events.

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## Highway and Rights of Way Matters

### 7. Countryside and Rights of Way Act 2000 – Crime Prevention and School Security in Relation to Rights of Way.

Power, in consultation with the Director of Adults and Communities, to consider the nature and magnitude of reported problems of crime and disorder inasmuch as they are relevant to this legislation and establish procedures for implementing its provisions.

CABINET  
14/06/11

## Planning, Historic and Natural Environment Matters

### 8. Planning Applications, Hazardous Substances Consents, Environmental Permits and Listed Buildings Consents

Power to comment on and/or to determine:

(a) applications for planning permission (including approval of reserved matters and approval of matters controlled by planning condition);

DCRB  
12/03/20

(b) applications to vary planning conditions;

- (c) applications for non-material amendments to planning permissions;
- (d) the grant or continuation of hazardous substances consents;
- (e) environmental permits;
- (f) applications for works to listed buildings;

except where:

- (i) the application is contrary to a site allocation policy within the County Council's adopted or draft development plan;
- (ii) the planning application is supported by an Environmental Impact Assessment;
- (iii) more than four objections (either individually or via a petition) from local residents and/or businesses, raising material planning considerations, have been received during the statutory consultation period. In the event of an objection being received which appears not to relate to a material planning consideration, the Director of Environment and Transport after consultation with the Chairman and Spokespersons of the Development Control and Regulatory Board shall determine its relevance and whether it would be appropriate to refer the matter for determination by the Board;
- (iv) the elected local member has indicated in writing within 21 days of notification that the application should be submitted to the Board for determination;
- (v) the recommendation is subject to the signing of a Section 106 planning agreement.

## Health

### 9. Health and Social Care Integration

Power, following consultation with the Cabinet Lead Members, to undertake any actions and/or decisions necessary to progress activities or projects within the health and social care integration programme.

CABINET  
11/05/15

*[Note: Actions and/or decisions taken by the Chief Executive under this delegation are to be included in the annual report to the Cabinet on progress with the health and social care integration programme]*

10. **NHS Sustainability and Transformation Plan**

Power, following consultation with the Cabinet Lead Member for Health to take such operational decisions as may be necessary to enable delivery of the Sustainability and Transformation Plan. CABINET  
13/12/16

**GENERAL MATTERS**11. **Broadband**

Power, after consultation with the Leader of the County Council and the Chief Legal Officer and Monitoring Officer, to take all actions and/or decisions he considers necessary to give effect to any matter relating to the deployment of improved broadband connectivity within Leicestershire. CABINET  
16/01/13, 15/07/14,  
and 23/06/17

12. **Freeport**

Power:

- (a) following consultation with the Director of Corporate Resources and Chief Legal Officer and Monitoring Officer, to make decisions as required as a Council in the event of a conflict of interest arising or as required by the Freeport Company governance arrangements. CABINET  
26/04/2022
- (b) to deal with any future appointments to the Freeport Board in accordance with the usual process for appointments to outside bodies. CABINET  
10/02/2023