

PART 2 - SECTION 5A

CITY OF PORTSMOUTH

MEMBER INFORMATION SERVICE

Explanation & Comments

1. The following powers, duties and functions of the City Council and the Executive shall be delegated to the officers indicated below (or an officer within their department nominated by them for that purpose), subject to the rules in the following paragraphs. The body granting the delegation is identified in the column headed "Explanation & Comments".
2. Any proposal by an officer to exercise a power, duty or function mentioned below shall be published in a bulletin and circulated to all members of the City Council.
3. The bulletin shall be called the "Member Information Service" (MIS) and shall be circulated every week (or such other period as may be provided by an amendment to these rules under Paragraph 7 below).
4. The proposals shall be identified by a heading, must be summarised, must identify any ward or wards affected by the proposal, and must name the officer or officers who can be contacted for further information about the proposal (with their telephone extensions).
5. If a member indicates to the representative for this purpose of the Director of Corporate Services, that they wish a particular item to be referred to the relevant Regulatory Committee or Executive for decision, it shall be so referred.
6. An indication under Paragraph 5 must be given by the time and date specified in each bulletin (which shall be 5.00 pm on the seventh day following the published date of the bulletin unless amended under paragraph 7 below).
7. These rules and the powers, duties and functions delegated under them may be amended from time to time by the Director of Corporate Services to remove anomalies and ambiguities in consultation with the Leader of the Council and the Leaders of the Opposition Parties.
8. Any Regulatory Committee or the Executive, as the case may be, may vary the powers, duties and functions referred to below as they consider appropriate.
9. All delegated functions shall be deemed to be exercised on behalf of and in the name of the Executive or the Council as the case may be.
10. If a power is delegated outright to an officer either generally or in a specific case when the delegations in the MIS would otherwise apply, the officer may exercise the power without reference to MIS.

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11. The exercise of a delegated power, duty or function shall be subject to the requirements of Standing Orders and Financial and Staffing Regulations for the time being in force.
12. Where powers are delegated to two or more officers exercise of those powers in practice shall be regulated by the Council's policies. In the event of a failure to agree, the operation of those powers shall be regulated by the Chief Executive.
13. Where the exercise of powers is to be subject to prior consultation with another officer, that officer may give his or her views in general terms in advance to apply to any particular circumstance, to remove the need for consultation for each proposal.
14. The following powers, duties and functions shall be delegated, subject to the MIS rules:-
 - (1) TO ALL CHIEF OFFICERS:-**
 - (a) In consultation with the Director of Finance & Resources:-**
 - (i) The incurring of capital expenditure of more than £100,000 up to a limit of £500,000. Executive.
 - (ii) Subject to (c) below, to approve additional capital expenditure or overspending above £50,000 when the additional expenditure has not been provided in the estimates, when equivalent savings can be identified within the approved estimates. Executive.
See also paragraph 3 of Section E of the outright delegations.
 - (iii) Subject to (c) below, to approve additional revenue expenditure or overspending of £50,000 or more when the additional expenditure has not been provided in the estimates, when equivalent savings can be identified within the approved estimates. Executive.
 - (iv) Determining the level of any fee or charge (including a new fee or charge or reduction in an existing fee or charge), where first any fee or charge is otherwise than in accordance with RPI or secondly where the Director of Finance & Resources believes there are corporate policy implications in the proposal. Executive and appropriate regulatory Committee.
See also outright delegation for increases in existing fees and charges.
 - (b) In consultation with the Head of Financial Services:-**
 - (i) Overspending on an approved contract sum above the greater of £1,500 or 0.5% (capital) or 5% (revenue) up to the greater of a limit of £5,000 or 0.5% (capital) or 5% (revenue). Executive.
See also para 3 of Section D of the outright delegations.
 - (ii) Payments of grants to voluntary bodies including clubs and societies above £5,000. Executive.
See also paragraph 4 of Section A of the outright delegations.

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(c) In consultation with the Head of Information Technology:-

- (i) The purchase or leasing of any computer hardware or software, word processing equipment, or other similar equipment above £100,000. Executive.

(d) General

- (i) To finalise the City Council's comments on any matter where the City Council is a consultee and the relevant Chief Officer is of the opinion that members should be aware of the views proposed to be expressed before the consultation response is finalised. Executive and appropriate regulatory committees

(2) TO THE CITY PLANNING OFFICER:-

- (i) Except in respect of applications where the City Planning Officer has outright delegation, to grant or refuse all applications for planning permission or other consents under the Town and Country Planning legislation (including for hazardous substances), which are not a departure from the Development Plan or do not have implications for the Council's general policies. For the avoidance of doubt, this includes the granting of operative, planning resolutions for City Council development and when the decision would be contrary to views expressed by statutory consultees or material planning representations received as a result of publicity given to the proposals. Development Control Committee.
- (ii) Approve minor changes to Conservation Area boundaries. Executive.

(3) TO THE HEAD OF PROPERTY SERVICE (IN CONSULTATION WITH THE HEAD OF HOUSING SERVICE IN RESPECT OF PROPOSALS AFFECTING PROPERTY HELD UNDER THE HOUSING REVENUE ACCOUNT):-

- (i) To approve the principle of disposal of land and premises; Executive
- (ii) To grant leases or licenses to occupy land or buildings for up to seven years at less than the best rents reasonably obtainable; Executive.
- (iii) The appropriation of land and property between holding powers, subject to consultation with the relevant Chief Officer and the Director of Finance & Resources. Executive.
- (iv) To agree offers for or exchanges of land. Executive

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**(4) TO THE CITY ENGINEER AND CITY PLANNING OFFICER
IN CONSULTATION EACH WITH THE OTHER:-**

- (i) The closure or restriction of rights over any highway, other than closures under Section 14 or 16A of the Road Traffic Regulation Act 1984.

- (i) Executive in respect of TROs.
(ii) General Purposes Committee in respect of creation, diversion and stopping up of highways and footpaths.

Proposals are initiated by either department (Traffic Management Closures are delegated outright to the City Engineer).

(5) TO THE CITY ENGINEER:-

- (i) Except in respect of traffic regulation orders where there is outright delegation, to approve, vary or otherwise deal with traffic regulation orders where objections have been received and have not been subsequently withdrawn.

Executive.

(6) TO THE DIRECTOR OF CORPORATE SERVICES:-

- (i) To settle claims made against the Council above £50,000.

Executive.

(7) TO THE COMMITTEE SERVICES MANAGER:-

- (i) To make member and officer level appointments to outside bodies and organisations on those occasions when time does not permit the appointment to be made at a Council meeting.

City Council

(8) TO THE HEAD OF PERSONNEL:-

- (i) To approve the harmonisation of corporate personnel and related policies in force in PCC and HCC, and to approve any review of existing (or introduction of new) human resources policies, after appropriate consultative procedures have been followed.

General Purposes Committee.