

## Proposed amendments to Part H3 section 4.2 of the Constitution

### H3 SCHEME OF DELEGATION BY THE COUNCIL AND BY THE EXECUTIVE TO DIRECTORS AND OTHER OFFICERS

#### 4. DELEGATIONS TO INDIVIDUAL DIRECTORS AND OTHER OFFICERS

#### 4.2 Director of Improvement and Corporate Services Qualifications (if any)

##### *Property and Asset Management*

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| 4.2.54 | To undertake routine maintenance and updating of the "Market Conditions and Consent to Trade" document within agreed Council policies and budgets.   | None |
| 4.2.55 | To take operational decisions within agreed Council policies, budgets and the "Market Conditions and Consent to Trade" document.   | None |
| 4.2.56 | To have overall responsibility for the management and maintenance of any land or buildings, including agricultural landholdings, held for Council purposes having regard to service objectives and in the interests of the Council as a whole. | None |
| 4.2.57 | To manage any land and buildings not currently required for any of the Council's statutory functions.  | None |
| 4.2.58 | To accept, renew and vary contracts for maintenance and repair of all equipment and services within the annual estimates.  | None |
| 4.2.59 | To dispose of worn or obsolete plant or equipment in accordance with the Code of Procurement Governance and/or current inventory procedures, as appropriate.   | None |
| 4.2.60 | To undertake maintenance, repairs and alterations in respect of the Council's operational property.  | None |
| 4.2.61 | To let Council owned rooms and, where appropriate, waive or reduce charges in respect of Council bookings.   | None |

4.2.62	<del>To undertake the management of agricultural holdings for which the Council is</del>	None
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## Appendix B

	<del>responsible.</del> <sup>[RG1]</sup>	
4.2.6 <del>23</del>	To authorise development and appropriation of land and buildings, subject to a maximum value in any case of £200,000 per annum (revenue) or <del>£2500,000</del> (capital). <sup>[RG2]</sup>	Subject to consultation with the relevant Executive Member and the ward Member(s)
4.2.6 <del>34</del>	To authorise the acquisition, disposal or variation of any estate or interest (together with licences and wayleaves) in any land and buildings subject to a maximum value in any case of £200,000 per annum or £500,000 (capital).	Subject to consultation with the relevant Executive Member and the ward Members(s)
4.2.6 <del>45</del>	In accordance with the <u>Corporate Property Assets Disposal Protocol Surplus Policy</u> and the delegated powers outlined in 4. <del>23.6413</del> , to sell land surplus to requirements, <del>which is on the Disposals List.</del>	Subject to approval of the relevant Executive member and after consultation with the ward Member(s)
4.2.6 <del>66</del>	<del>To approve the terms of the acquisition, disposal or variation of any estate or interest (together with licences and wayleaves) in</del> <sup>[RG3]</sup> <del>any land or buildings.</del>	None
4.2.6 <del>75</del>	To establish and maintain a corporate database of the Council's land and buildings, including details of liabilities, and to perform any responsibilities placed on the Council under the Local Government Planning and Land Act 1980.	None
4.2.6 <del>68</del>	To take appropriate action on behalf of the Council with regard to rating issues, including the conduct of appeals.	In consultation where appropriate with the Monitoring Officer.
4.2.6 <del>79</del>	To determine and issue general guidelines to officers for the management of land resources and the maintenance of buildings. <del>etc.</del>	None
4.2. <del>7068</del>	To certify or make arrangements for the certification of authorisation and identity cards and passes for officers and Members.	None
4.2. <del>6971</del>	To let land and premises for not more than fifteen years in accordance with the <u>Council's approved</u> Asset Management Plan.	None

## Appendix B

4.2.7 <del>20</del>	To licence land and premises for not more than 364 days.	None
4.2.7 <del>3</del>	<del>In accordance with the Surplus Policy, to sell land surplus to requirements which is on the Disposals List in accordance with the delegated powers outlined in 4.3.13. [RG4]</del>	<del>Subject to approval of the relevant Executive Member and ward member(s).</del>
4.2.7 <del>14</del>	To deal with all matters in connection with the management and leasing/licensing of the Council's industrial land and premises in accordance with the Council's current Asset Management Plan.	None
4.2.7 <del>52</del>	To deal with all matters in connection with the management and leasing of the Council's Managed Workspace in accordance with the Council's current Asset Management Plan.	None
4.2.7 <del>36</del>	To deal with all matters in connection with the management and leasing of the Council's retail premises in accordance with the Council's current Asset Management Plan.	None
4.2.7 <del>77</del>	<del>To deal with all matters in connection with the Council entering into wayleaves and easements. [RGS]</del>	<del>In consultation with the Monitoring Officer.</del>
4.2.7 <del>48</del>	To enter into leases of land where the Council is to construct a public amenity or provide or reacquire the freehold of land.	In consultation with the Monitoring Officer and relevant Executive Member.
4.2.7 <del>59</del>	To take decisions on applications by electricity, gas, water, telephone, broadcasting or cable companies to place any apparatus in, on, over or under any land or buildings owned by the Council.	In consultation with the Monitoring Officer and ward members.
4.2.80 <del>76</del>	To:	
	4.2.80 <del>76</del> .1 assess each application for release from restrictive covenants on its own merits;	
	4.2.80 <del>76</del> .2 negotiate compensation payable to the Council where such release is requested in order to facilitate speculative development or some other profit making exercise.	

## Appendix B

4.2. <del>81</del> <u>77</u>	To exercise, at his/her discretion, the provisions of any authorised guarantee agreement, such provisions to always be enforced except where there are commercial or operational reasons not to do so.	None
4.2. <del>82</del> <u>78</u>	To serve, at his/her discretion, the required legal notice (Section 17 Notice) on original tenants where the tenant (Assignee) is in arrears in order to protect the Council's rights to pursue original tenants for the debt if it is considered viable.	None
4.2. <del>83</del> <u>79</u>	To negotiate the grant of wayleaves for the purposes of Town Centre Enhancement Schemes or Closed Circuit Television Schemes.	None
4.2.8 <u>40</u>	To undertake maintenance, repairs and alterations in respect of the Council's non-operational property.	None
4.2.8 <u>15</u>	To determine licences to erect and site public notice boards on Central Bedfordshire Council land throughout Central Bedfordshire.	None
4.2. <del>86</del>	<del>To approve and enter into property investments (in accordance with the provisions of the Investment Management Strategy).</del> <sup>[RG6]</sup>	<p>Subject to the following criteria:-</p> <ul style="list-style-type: none"> <li>(i) <del>decision is required urgently to secure an investment and it is not possible to report to Executive;</del></li> <li>(ii) <del>following consultation with the Leader of the Council, and relevant Executive Member, Chief Executive, Chief Finance Officer and Monitoring Officer;</del></li> <li>(iii) <del>any Key Decision must comply with the</del></li> </ul>

~~provisions of the  
Access to  
Information  
Rules (Record of  
an Individual  
Decision).~~