

APPENDIX 1

PART 1 – HAVERING

Delegation to Joint Committee

A	General	New JCD reference
A1	To have overall responsibility for the provision to the client Councils of the shared services	A1
A2	To consider and approve the annual report of the activities performance and finances of the shared services operation	A2
A3	To consider and approve the annual service plan for each shared service	A3
A4	To determine the strategic direction of the shared services operation	A4
A5	To determine any strategic issue referred to it by the Managing Director	A5
A6	To advise the client Councils what financial resources are desirable for the delivery of the shared services operation for three financial years ahead from the current financial year	A6
A7	To consider and approve the internal budget for the shared services operation within the overall financial constraints set by the client Council's and to make representation to the council's on the consequences of those restraints as appropriate.	A7
A8	To incur expenditure within the revenue and capital budgets as approved by the Joint Committee, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.	A8
A9	To oversee the delivery of programmes agreed by Council and Cabinet.	A10
A10	In consultation with the relevant Cabinet Member to apply for, accept and manage external funding up to a limit of £500,000 per grant in support of any function within their Directorate provided that any financial contributions by the Council are made from within existing budgets.	A11
A11	To authorise the making of ex gratia payments up to the limit	A13

A	General	New JCD reference
	specified from time to time by the Director of Finance to individuals where the Local Government Ombudsman has recommended that such payment be made in local settlement of a complaint.	Amended to refer to limits specified in financial procedures
A12	To authorise activities under the Regulation of Investigatory Powers Act 2000.	A14
A13	To approve commencement of a tendering process for all contracts above a total contract value of £156,000.	B9 Value amended to that specified in Contract Standing Orders
A14	To award contracts with a total contract value of under £5,000,000.	B10
A15	To sign contracts on behalf of the Council which do not require sealing under paragraph 4 of Article 10 of this constitution.	B11
A16	Payment of allowances in accordance with the “Croydon Scheme” to staff injured in the course of their duties must be made in consultation with Head of Shared Services.	A16 Title of officers updated
A17	To approve applications for leave for trade union conferences and training courses in consultation with the Head of Shared Services.	A17 Title of officers updated
A18	To approve payment of claims by employees for loss or damage to property and clothes up to the limit specified from time to time by the Director of Finance otherwise payment must be made in consultation with the Group Director Resources.	A18 Amended to limit specified by the S151 officer and for MD to approve above that limit
A19	To grant permission for employees to undertake outside work or duties whether paid or unpaid subject to there being no conflict of interest.	A19
A20	To approve honoraria payments in consultation with the service personnel manager.	A20 Title of officers updated
A21	To approve commencement of a tendering process for, and	B9

A	General	New JCD reference
	to award all contracts below a total contract value of £156,000.	Value amended to that specified in Contract Standing Orders
A22	To sign contracts on behalf of the Council which do not require sealing under paragraph 4 of Article 10 of this constitution.	B11
A23	To incur expenditure within the revenue and capital budgets for the relevant service as approved by the Council, subject to any ICT variation permitted by the Council's contract and financial procedure rules.	A9
A24	To implement any approved financial programme, including the authorisation of expenditure and procurement of goods and services.	A21
A25	To implement approved fees, charges, rents etc and to ensure that proper arrangements exist for their collection.	B16
A26	In consultation with the relevant Cabinet Member, to apply for, accept and manage external funding up to a limit of £250,000 per grant in support of any function within their service provided that any financial contributions by the Council are made from within existing budgets.	A11 Amended Financial limits

B	Finance (including Procurement)	New JCD reference
B1	To advise on and monitor the revenue and capital budgets of the Council, including the Housing Revenue Account and the determination of Council Tax and housing rent levels.	B1 Advising only. Determination remains with the Council
B2	To write off sums which are irrecoverable and to settle claims on behalf of the Council	B3
B3	To manage all matters relating to the Council's loan debt, investments, and temporary investments, pension scheme and pension fund, insurance fund, act as registrar of loan instruments, manage all banking arrangements including numbers and types of accounts and arrange insurance of property and the selecting and accepting of tenders for insurance cover and related services which are considered	B5

B	Finance (including Procurement)	New JCD reference
	to offer best value for the Council promoting good risk management practices at all times.	
B4	<p>To undertake all other financial matters arising within the Council, subject to the following requirements:</p> <ul style="list-style-type: none"> (i) authority to incur expenditure being approved or sanctioned by the Council or the Cabinet (ii) powers of borrowing being exercised within guidelines agreed by the Council and any current codes of practice (iii) all matters being within accepted accounting practice and standards and within statutory requirements (iv) any necessary reference to the Council's external Auditors. (v) an annual report being presented to the Audit Committee by 30 September in each year on the activities undertaken in respect of treasury management powers in the preceding financial year (vi) Reports of the external Auditors and other relevant Inspectorates upon the audit of the Council's activities being considered. (vii) To make direct investments in local infrastructure assets as part of the Pension Fund local infrastructure portfolio in consultation with the Chairman of Pensions 	B7
B5	To implement the Council's early retirement, retirement and redundancy policies in consultation with the Head of Strategic Human Resources and Organisational Development and the Assistant Chief Executive Legal and Democratic Services.	E2
B6	To set the Council Tax Base and Commercial Rate yield each year unless it involves matters of policy	Not delegated Section 151 Officer
B7	To award all gas and electricity supply contracts where offers are made on a short restricted time basis and where there is insufficient time to obtain a Cabinet Member decision.	No delegated Section 151 Officer
B8	To accept grants and the terms and conditions thereof for and on behalf of the Council.	A12
B9	To instruct the Council's insurers and, upon their advice, to negotiate and settle insurance claims up to maximum of £145,000 for motor insurance, £147,750 for liability insurance and motor vehicles, and £50,000 for property insurance.	B13 Amended to refer to limits specified in financial procedures

B	Finance (including Procurement)	New JCD reference
B10	To review and, if necessary, amend the limits in B9 above on an annual basis, following discussion with the Council's insurers.	Not delegated Section 151 Officer
B11	To set future inter-authority and standard charges for residential and day-care accommodation, in accordance with the formula recommended by the Local Government Association.	Not delegated Section 151 Officer
B12	To increase the specified sums set out in delegations to staff in accordance with Retail Prices Index (RPI).	Deleted Financial Procedures
B13	To approve the Financial Framework and any amendments to it.	Not delegated Section 151 Officer 1
B14	In consultation with the relevant CMT Member, to authorise virements.	Not delegated Section 151 Officer
B15	To make or enter into leasing arrangements for vehicles, plant and equipment.	B21
B16	To monitor the implementation of the charging policy including any relevant deadlines. To advise on reviews of fees and charges.	B18
B17	To act upon and make decisions as a Pensions Panel consisting of the Director of Finance, Director of Internal Transactions, and Director of Legal & Governance for the purpose of Stage 2 appeals within the Internal Dispute Resolution Procedure Regulations and exercising other discretions within the Local Government Pension Scheme.	B19 Director of Internal Transactions now becomes Director of Exchequer and Transactional Services

C	Legal & Governance	New JCD reference
C1	To prepare, approve and issue or serve all legal documentation on behalf of the Council.	C17
C2	To lay information, complaints and claims on behalf of the Council for the purpose of any proceedings before the Magistrates' Court, County Court and other courts and tribunals, including all civil and criminal proceedings.	C1
C3	To defend all legal proceedings brought against the Council and to take any steps that are in their opinion expedient to that end.	C3

C	Legal & Governance	New JCD reference
C4	To sign, serve, advertise and receive notices and documents on behalf of the Council in relation to any formal or legal procedures.	C7
C5	To certify as a true and correct record any documents in accordance with section 229 of the Local Government Act 1972.	C19
C6	To sign or endorse any documents on behalf of the borough where so requested by a citizen.	C20
C7	To serve requisitions for information and other documents to enable the Council to receive information in the pursuance of legal proceedings.	C8
C8	Where the issue of any document, notice or order will be a necessary step in legal proceedings on behalf of the Council, to sign such document unless any enactment otherwise requires or unless the Council has given the necessary authority to some other person for the purposes of such proceedings.	C9
C9	To authorise, serve or issue all statutory notices, approvals and licences under any enactment other than those specifically delegated to another officer.	C21
C10	To instruct and/or seek the opinion of legal counsel and/or external solicitors in consultation with the Chief Executive or appropriate Group Director, Assistant Director or Head of Service and to instruct legal counsel or experts to advise or appear on any matter and to agree fees arising.	C17
C11	In consultation with the Director of Finance to settle claims in proceedings commenced or about to be commenced against the Council in a court or tribunal up to a limit of £100,000. Settlements of claims that exceed £100,000 require the approval of the relevant individual Cabinet Member or of the Cabinet, unless the decision is required to be made immediately before, at, or during a hearing.	C6 Amendment of Financial limits
C12	To name, rename, number and renumber streets and premises	C49
C13	To maintain the register of highways that are maintainable at public expense.	C50
C14	To arrange for the administration of all statutory appeals.	C5
C15	To allocate information technology facilities to members, including ordinary telephones, mobile telephones and facsimile machines.	Deleted Covered in operational powers and duties

C	Legal & Governance	New JCD reference
C16	To implement the Council's early retirement, retirement and redundancy policies in consultation with the Director of Finance and the director of Internal Transactions.	E2
C17	To act and make decisions on behalf of a pensions panel consisting of the Director of Finance, Director of Internal Transactions and Director of Legal & Governance for the purposes of Stage 2 appeals within the Internal Dispute Resolution Procedure Regulations and exercising other discretions within the Local Government Pension Schemes.	C32
C18	To alter the financial amounts in Contract Procedure Rules specifically relating to EU contracts and occurring either due to exchange rate changes or EU directed amendments.	C11
C19	To authorise Council staff to represent the Council in proceedings in the County Court and the Magistrates Court.	C10
C20	To prepare, approve and issue or serve the form and content of all legal documentation on behalf of the Council.	Duplicate of C1 above
C21	To lay information, complaints and claims on behalf of the Council for the purpose of any proceedings before the Magistrates' Court, County Court and other courts and tribunals, including all civil and criminal proceedings.	Duplicate of C2 above
C22	To defend all legal proceedings brought against the Council and to take any steps that are in his or her opinion expedient to that end.	Duplicate of C3 above
C23	To serve requisitions for information and other documents to enable the Council to receive information in the pursuance of legal proceedings.	Duplicate of C7 above
C24	Where the issue of any document, notice or order will be a necessary step in legal proceedings on behalf of the Council, to sign such document unless any enactment otherwise requires or unless the Council has given the necessary authority to some other person for the purposes of such proceedings.	Duplicate of C8 above
C25	To authorise, serve or issue all statutory notices, approvals and licences under any enactment other than those specifically delegated to another officer.	Duplicate of C9 above
C26	To instruct and/or seek the opinion of legal counsel and/or external solicitors in consultation with the appropriate Group Director or Head of Service and to instruct legal	Duplicate of C10 above

C	Legal & Governance	New JCD reference
	counsel or experts to advise or appear on any matter and to agree fees arising.	
C27	To undertake those functions assigned under: <ul style="list-style-type: none"> (i) art 3, Section 5 of the Constitution of the London Borough of Havering: local choice functions (ii) Part 3, Section 6 of the Constitution of the London Borough of Havering: Proper Officer function 	Deleted Superfluous
C28	To authorise activities under the Regulation of Investigatory Powers Act 2000 and to monitor proper use of activities under that Act.	A14
C29	To develop and implement the Council's Health & Safety Strategy	Deleted Not delegated
C30	To develop and implement the Council's information governance policies and protocols.	Deleted Not delegated
C31	To undertake all the administrative procedures for Schools Appeals, Hearings Panels and any other panels or Sub-Committees required under the terms of reference of the Adjudication and Review Committee and Licensing Committee: including but not limited to the appointment and re-appointment of independent persons for school appeals and other hearings, the selection of members or independent persons to consider specific cases, the consideration of applications for re-hearing of School Admission Appeals, the arrangement of panels and dates and the appointment of Chairmen of panels.	C28
C32	In consultation with the Leader of the Group of which the previous appointee is a Member, to appoint a Member of the Council to fill a casual vacancy in any appointment to another organisation arising during the course of a municipal year.	C31
C33	In consultation with Cabinet Members, Group Leaders and the Chairmen of Committees, to determine the schedule of meetings for each municipal year (including dates, times and places of meeting), on the basis that, so far as possible and practicable: <ul style="list-style-type: none"> (a) The Regulatory Services Committee shall meet every three weeks (except around the Christmas/New Year period) (b) The Audit, Governance, Pensions and Standards Committees and the Overview & Scrutiny Committees shall generally meet once during each period between ordinary Council meetings (c) Meetings will only be arranged for Monday or Friday 	C27

C	Legal & Governance	New JCD reference
	evenings in exceptional circumstances.	
C34	To exercise general use and hire of the Town Hall for the purpose of meetings and other authorised events in accordance with approved fee scales and principles and guidelines agreed by the Governance Committee, but to be able to waive or reduce scales of fees and charges in suitable cases. To exercise general management of the Council Chamber, Committee Rooms and other accommodation for Members, including any audio-visual or other information technology equipment installed therein.	C24
C35	To approve arrangements for members' training.	C25
C36	To approve the attendance of members at conferences or training events outside the borough but within the United Kingdom, including any travel and accommodation arrangements.	C26
C37	Undertake those functions assigned under: (a) Part 3, Section 6 of Constitution of the London Borough of Havering: Proper Officer functions	Deleted Superfluous
C38	To undertake those election functions assigned to the Proper Officer in the Constitution of the London Borough of Havering.	Deleted Superfluous

D	ICT/BUSINESS SYSTEMS	New JCD reference
D1	To develop the Council's e-government and t-government strategies.	D1
D2	To develop the Council's information systems, and information technology and e-government strategies.	D2
D3	To develop the Council's information and communications technology strategies including the supply, withdrawal, data protection, security and integrity of the systems to staff and members.	D3
D4	To supply connections and services to public sector partners and other organisations, provided that the integrity of the Council's information systems is maintained.	D4
D5	Agreeing arrangements for the use of any spare capacity in any computers or associated equipment owned by the Council under Section 38 of the Local Government	D5

D	ICT/BUSINESS SYSTEMS	New JCD reference
	(Miscellaneous Provisions) Act 1976	
D6	Approving sales of computer software developed and owned by the Council	D6
D7	Agreeing policies procedures and standards relating to the security, integrity and accessibility for ICT infrastructure and systems	D7

E	STRATEGIC HUMAN RESOURCES	New JCD reference
E1	To develop and implement the Council's human resources, organisation development, remuneration and occupational health strategies.	E1
E2	Implementing policies and procedures for recruitment, retention, change/reorganisation, redundancy, retirement, early retirement, redeployment, absence, capability, conduct, Terms and Conditions of Employment, including dismissal of staff.	E3
E3	To implement decisions and recommendations of recognised national negotiating bodies on all employment matters including terms and conditions of employment. Where there is a cost implication, a report must be made to the Cabinet.	E4
E4	Subject to appointments, dismissals, assimilation and redundancies for Heads of Service and above being authorised by Appointments Committee, to implement the procedure for any senior management re-alignment or restructuring including; <ul style="list-style-type: none"> (i) Achieving any necessary reduction through voluntary redundancy; (ii) Considering applications from unaffected Heads of Service or above which would create a suitable alternative employment opportunity for an affected Head of Service or above; (iii) Deciding upon the ring fence arrangements and inviting applications for assimilation; and (iv) Arranging advertisements and assessment centres, and, subject to compliance with 	E5

E	STRATEGIC HUMAN RESOURCES	New JCD reference
	Contract Procedure Rules, appointing external recruitment consultants.	
E5	In consultation with the Director of Legal and Governance to amend HR policies where necessary in consequence of legislative, organisational or other changes that have no adverse financial effect.	E6

F	ASSET MANAGEMENT (INCLUDING PROPERTY STRATEGY)	New JCD reference
F1	To exercise general use and hire of public halls and buildings owned by the Council (except the Town Hall) for the purpose of community use, meetings and other authorised events in accordance with approved fee scales and principles but to be able to waive or reduce scales of fees and charges in suitable cases.	F27
F2	Subject to the availability of finance to be responsible for any alteration or improvement of facilities to the Council Chamber, Committee Rooms and other accommodation for Members.	F27
F3	To manage the operation of the relevant Contract Service Organisations (CSOs) including marketing the CSOs and consideration of the impact of new legislation on the CSOs, where relevant.	H4
F4	To exercise all the powers delegated to the Property Strategy Manager so far as legally permissible.	F1
F5	To exercise the powers and duties of the Council in relation to concessionary fares and similar schemes (including the taxi card scheme).	F30
F6	In relation to the taxi card scheme: <ul style="list-style-type: none"> (i) To admit to the scheme persons from the waiting list of applicants. (ii) To agree a higher trip limit where justified by the degree of disability of the individual Director of Asset Management (iii) To approve dual holding of a concessionary fares permit and a taxi card where, in view of the individual's condition, it is appropriate to do so. 	F30
F7	To issue permits under the Minibus and Other Section 19 Permit Buses Regulations 1987 to appropriate	F30

F	ASSET MANAGEMENT (INCLUDING PROPERTY STRATEGY)	New JCD reference
	organisations.	
F8	To provide a security service for the Council's Administrative buildings	F27
F9	To conduct preliminary negotiations, negotiate, agree and conclude all property matters including the making and settling of rating appeals on council property and property valuations for all purposes	F3
	To undertake marketing of any Council property.	F4
F10	To instruct external property advisors, surveyors, auctioneers and consultants where necessary on property transactions.	F5
F11	To procure property and property services to meet the Council's occupation needs including responsibility for space use and allocation together with strategic facilities management. This function must be exercised subject to obtaining members authority for any financial approval not within budget.	F1
F12	To agree with a potential purchaser of a Council-owned property that the Council should retain an area of land where it is expedient to do so.	Deleted – covered by other powers and duties
F13	Following notification to the relevant ward members, to vary but not extend existing agreements for mobile phones masts at school sites in circumstances where installations are to be upgraded and lower emissions will result to enable Landlord's consent to be granted for the installation.	F31
F14	<p>To agree and incur reasonable pre-sale expenses up to a limit of £100,000 per transaction when disposing of property, such expenses to be offset against the capital receipts arising.</p> <p>These functions must be exercised in accordance with the following requirements:</p> <ul style="list-style-type: none"> (i) complying with the Code of Practice on the Disposal of Surplus Property, set out in Appendix B (ii) In cases where the Cabinet has already approved the principle but not the terms of a property disposal without the invitation of competitive bids, the 	F6

F	ASSET MANAGEMENT (INCLUDING PROPERTY STRATEGY)	New JCD reference
	<p>provisionally agreed terms of any disposal exceeding £1,000,000 shall be reported to Cabinet for approval before the transaction is concluded.</p> <p>(iii) In cases that have not been the subject of competitive bids but are below £1,000,000 in value, the provisionally agreed terms of disposal should shall be reported to the Group Director Resources, before the transaction is concluded.</p> <p>(iv) complying with relevant Council policy on property transactions</p> <p>(v) referring a matter for Member decision where it is proposed to recommend other than the best financial bid</p> <p>(vi) concluding valuation and property disputes forming part of a pending or active court or arbitration proceedings, after consultation with either the Assistant Chief Executive Legal & Democratic Services or the Group Director Resources, where there is insufficient time or opportunity to obtain a Member decision</p> <p>(vii) Making or settling rating appeals only in the Council's financial interests.</p>	
F15	To be the Council's designated corporate property officer, responsible for the strategic management of the Council's property portfolio, including corporate strategy and asset management, procurement of property and property services, planned and preventative maintenance programmes, property allocation and use, reviews, acquisitions and disposals, and commercial estate management.	F1
F16	To exercise all powers relating to Romford Market, including granting and revoking licences and enforcing relevant bylaws.	F29

G	INTERNAL TRANSACTIONS	New JCD reference
G1	To advise on, co-ordinate and manage all payroll functions on behalf of the Council.	G1
G2	To administer the Council's pension fund.	G2

G	INTERNAL TRANSACTIONS	New JCD reference
G3	The exercise of the client monitoring function in respect of occupational health and the Council's recruitment advertising contracts, and the power to select and accept tenders for external consultants or contracts in accordance with the Council's standing orders.	G3
G4	To grant gifts for long service up to the limit specified from time to time by the Director of Finance.	G4
G5	To approve the arrangements for members' training and development.	G5
G6	To act and make decisions on behalf of a pensions panel consisting of the Director of Finance, Director of Internal Transactions and Director of Legal & Governance for the purposes of Stage 2 appeals within the Internal Dispute Resolution Procedure Regulations and exercising other discretions within the Local Government Pension Schemes.	G6
G7	To approve proposals for the payment of allowances in accordance with the "Croydon Scheme" to staff injured in the course of their duties.	G7
G8	To undertake the role of appointed person for the Council in all matters relating to the Disclosure and Barring Service.	G8
G9	To grant car and season loans to eligible staff.	G9

H	EXTERNAL TRANSACTIONS	New JCD reference
H1	To exercise the Council's discretionary powers in relation to writing off amounts due for national non-domestic rate or surcharge on grounds of hardship or general rate on grounds of poverty, up to a maximum level of £10,000.	H1
H2	To exercise the Council's discretionary powers in relation to relief for Council Tax and commercial rates.	H2
H3	To act as statutory officer pursuant to for the collection of council tax and commercial rates	H3
H4	To manage the operation of the relevant Contract Service Organisations (CSOs) including marketing the CSOs and consideration of the impact of new legislation on the CSOs.	H4