



Leicester  
City Council

**WARDS AFFECTED**  
**All Wards**

**CABINET**

**12<sup>TH</sup> MARCH, 2007**

**SCHEME OF DELEGATION**

**REPORT OF THE DIRECTOR OF RESOURCES**

**1. PURPOSE OF REPORT**

The purpose of this report is to provide Cabinet with a routine summary of decisions made at Corporate Director level in consultation with Cabinet Leads and to update Cabinet's Scheme of Delegation so as to comply with the current CPA "Use of Resources" improvement plan.

**2. REPORT**

- (i) A summary of the decisions made by the Chief Executive / Corporate Directors in consultation with the relevant Cabinet Lead members during the period 1<sup>st</sup> November, 2006 to 28<sup>th</sup> February, 2007 is shown attached as **Appendix A**. This includes a summary of waivers of Contract Procedure Rules approved by the Town Clerk.
- (ii) Below is an extract from the current CPA "Use of Resources Assessment" improvement plan.

Key line of enquiry	Improvement opportunities	New "must have" criteria for 2007	Action	By Whom	By when
2.3 Financial management. The Council manages its asset base.		A member has been allocated portfolio responsibilities for asset management and local performance measures in relation to assets have been developed.	The Cabinet Lead for Resources has responsibility and this will be made explicit in the Scheme of Delegation	Director of Resources	31 <sup>st</sup> March, 2007

Councillor Coley is the Cabinet Lead for Resources and has responsibility for asset management . Text can be added to the current Scheme of Delegation to make this explicit.

- (iii) A more comprehensive review of Cabinet's Scheme of Delegation is planned to rationalise text and to reflect current allocation of

responsibilities to Cabinet Leads, Corporate Directors and Service Directors.

## **2. RECOMMENDATIONS**

Cabinet is recommended to:

- (i) Note the summary of decisions made at Corporate Director level in consultation with Cabinet Leads as summarised in **Appendix A**;
- (ii) Authorise the Town Clerk to amend the text of Cabinet's current Scheme of Delegation to show that the Cabinet Lead for Resources has responsibility for asset management.

## **3. HEADLINE FINANCIAL AND LEGAL IMPLICATIONS**

There are no direct financial implications arising from this report.

Legal implications: it is within Cabinet's remit to keep under review and change its Scheme of Delegation as necessary.

Contract Procedure Rules may be waived by the Town Clerk after consultation with the relevant Cabinet Member(s) but these decisions must be reported to Cabinet for information (Contract Procedure Rule 4.2(b)).

OTHER IMPLICATIONS	YES/NO	Paragraph references within supporting information
Equal Opportunities	<b>No</b>	
Policy	<b>No</b>	
Sustainable and Environmental	<b>No</b>	
Crime and Disorder	<b>No</b>	
Human Rights Act	<b>No</b>	
Elderly/People on Low Income	<b>No</b>	

## **3. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972**

The Council's Constitution, including Cabinet's Scheme of Delegation; and records received by the Town Clerk from Corporate Directors which have been used to compile this report.

## **4. CONSULTATIONS**

Chief Executive and all Corporate Directors  
Charles Poole, Service Director – Democratic Services

Frances Wake, Committee Services Manager  
Geoff Organ, Head of Corporate Procurement, Support and Income

**5. REPORT AUTHOR**

Peter Nicholls, Service Director – Legal Services, x6302

173

<b>Key Decision</b>	No
<b>Reason</b>	N/A
<b>Appeared in Forward Plan</b>	N/A
<b>Executive or Council Decision</b>	Executive (Cabinet)

**APPENDIX A**

**DECISIONS MADE BY CORPORATE DIRECTORS / CHIEF EXECUTIVE IN CONSULTATION WITH CABINET LEADS DURING THE PERIOD NOVEMBER, 2006 TO FEBRUARY, 2007**

<b>Date of decision</b>	<b>Nature of decision</b>	<b>Corporate Director</b>	<b>Member(s) consulted</b>	<b>Nature of Members' comments</b>	<b>Date of Member consultation</b>
8 <sup>th</sup> November, 2006	Itinerary for Low Pay Commission visit to Leicester	R&C J. Miller	Cllr. Scuplak	Supported and agreed that NRF and SRB should be used to tackle low pay.	8 <sup>th</sup> November, 2006
15 <sup>th</sup> November, 2006	Endorsed approach adopted regarding report to Highways and Transport Committee on 21 <sup>st</sup> November regarding the National Parking Adjudication Service.	R&C	Cllr. Mugglestone	Approach endorsed.	15 <sup>th</sup> November, 2006
15 <sup>th</sup> November, 2006	Moratorium Guidelines	R&C	Cllr. Mugglestone	Approach supported.	15 <sup>th</sup> November, 2006
15 <sup>th</sup> November, 2006	Request from CityBus to carry out works at the Abbey Lane Bus Depot during the Christmas Moratorium.	R&C	Cllr. Mugglestone	Supported as works are off the highway.	15 <sup>th</sup> November, 2006
17 <sup>th</sup> November, 2006	Initiation of the Review of Communications, Marketing and Reputation.	Resources	Cllrs. Coley and Grant. Resources Scrutiny Committee.	Supported.	30 <sup>th</sup> October 2006. 16 <sup>th</sup> November, 2006
20 <sup>th</sup> November, 2006	Footbridge to be constructed at Hamilton.	Resources	Cllrs. Coley, Grant, Scuplak, Mugglestone and	Supported subject to crossing as close to the junction as	10 <sup>th</sup> November, 2006.

<b>Date of decision</b>	<b>Nature of decision</b>	<b>Corporate Director</b>	<b>Member(s) consulted</b>	<b>Nature of Members' comments</b>	<b>Date of Member consultation</b>
			Thompson.	site levels will permit.	
21 <sup>st</sup> November, 2006	Organisational review to merge Resources and the Chief Executive's Office and establish the Partnership Team.	Resources	Cllrs. Coley and Grant	Supported subject to a minor adjustment in Member support, which was accepted after further staff consultation.	30 <sup>th</sup> October, 2006.
22 <sup>nd</sup> November, 2006	Bowstring Bridge Closure (part) to tie into the Upperton Road Viaduct works.	R&C	Cllr. Mugglestone	Agreed.	15 <sup>th</sup> November, 2006.
29 <sup>th</sup> November, 2006	Culture Business Plan	R&C	Cllr. Mugglestone	Confirmed agreement.	29 <sup>th</sup> November, 2006.
5 <sup>th</sup> December, 2006	Variation of DDA Capital Programme to ensure full spend in the year.	Resources	Cllr. Coley	Supported.	5 <sup>th</sup> December, 2006
5 <sup>th</sup> December, 2006	Protocol for involving BCA in the disposals process for Braunstone Hall.	Resources	Cllr. Coley	Supported the protocol on the basis that the BCA have accepted it.	5 <sup>th</sup> December, 2006
6 <sup>th</sup> December, 2006	Calais Hill Development – proposals to resolve problems.	R&C	Councillor Mugglestone	Approach endorsed.	6 <sup>th</sup> December, 2006
13 <sup>th</sup> December, 2006	Advance payment of £424,315 to order and manufacture the 132hv cable – Upperton Road Viaduct.	R&C	Councillor Mugglestone	Supported	13 <sup>th</sup> December, 2006

<b>Date of decision</b>	<b>Nature of decision</b>	<b>Corporate Director</b>	<b>Member(s) consulted</b>	<b>Nature of Members' comments</b>	<b>Date of Member consultation</b>
3 <sup>rd</sup> January, 2007	Plans to progress works in Hotel Street under stage 2 of CCDP.	R&C	Councillor Mugglestone	Supported	3 <sup>rd</sup> January, 2007
10 <sup>th</sup> January, 2007	Proposal to make renaissance funded posts permanent	R&C	Councillor Mugglestone	Supported	10 <sup>th</sup> January, 2007
10 <sup>th</sup> January, 2007	Proposals to introduce subscription charges for groups borrowing printed music and drama and to centralise CD loan service at Central Lending.	R&C	Councillor Mugglestone	Agreed.	10 <sup>th</sup> January, 2007
24 <sup>th</sup> January, 2007	Strategy for delivery of the service and maximisation of the benefits for local communities. Consumer direct East Midlands.	R&C	Councillor Mugglestone	Endorsed with the qualification that Leicester City Council does not provide a second tier advice and dispute resolution service to businesses and the public in Leicester.	24 <sup>th</sup> January, 2007.
24 <sup>th</sup> January, 2007	Changes proposed for the LTP Capital Programme (2006/7).	R&C	Councillor Mugglestone	Approved	24 <sup>th</sup> January, 2007
24 <sup>th</sup> January, 2007	Scraptoft Lane / Colchester Road – proposed local safety scheme to go ahead.	R&C	Councillor Mugglestone	Confirmed.	24 <sup>th</sup> January, 2007
24 <sup>th</sup> January,	Imperial Avenue Traffic	R&C	Councillor	Confirmed.	24 <sup>th</sup> January, 2007

<b>Date of decision</b>	<b>Nature of decision</b>	<b>Corporate Director</b>	<b>Member(s) consulted</b>	<b>Nature of Members' comments</b>	<b>Date of Member consultation</b>
2007	Calming Scheme to go ahead.		Mugglestone		
24 <sup>th</sup> January, 2007	Use of the 1972 advert in the Ugandan media as part of moving here exhibition.	R&C	Councillor Mugglestone	Supported	24 <sup>th</sup> January, 2007
8 <sup>th</sup> February, 2007	To approve a clearer updated version of the Council's domestic abuse policy.	Resources.	Cllr. Coley	Supported.	7 <sup>th</sup> February, 2007.
9 <sup>th</sup> February, 2007.	To vary the contract with the proposed Saffron Velodrome developer to permit a lower development density.	Resources	Cllr. Coley	Supported	7 <sup>th</sup> February, 2007.
12 <sup>th</sup> February, 2007	Temporary replacement accommodation for the Fosse Academy	Children & Young People's Services	Cllr. Suleman	Supported	12 <sup>th</sup> February, 2007
19 <sup>th</sup> February, 2007	Childcare & extended services Sure Start Capital Allocations 2006-2008.	Children & Young People's Services	Cllr. Suleman	Supported	19 <sup>th</sup> February, 2007
21 <sup>st</sup> February, 2007	Relaxation of covenants to allow phase 2 development of Leicester Science Park at Abbey Meadows.	Resources	Cllr. Coley	Supported.	19 <sup>th</sup> February, 2007
26 <sup>th</sup> February, 2007	Acceptance of RMS supplier in accordance with Cabinet authority (and after tendering exercise)	Resources	Cllr. Coley	Supported	23 <sup>rd</sup> February, 2007

Date of decision	Nature of decision	Corporate Director	Member(s) consulted	Nature of Members' comments	Date of Member consultation



**WAIVERS OF CONTRACT PROCEDURE RULES APPROVED BY THE TOWN CLERK DURING THE PERIOD  
NOVEMBER, 2006 TO FEBRUARY, 2007**

<b>Date</b>	<b>Scheme</b>	<b>Contract Procedure Rule affected</b>	<b>Reason for waiver</b>	<b>Member who was consulted and gave support</b>
30/10.06	Telecare provision of monitoring equipment	Section 6, Rule 3	To enable use of the Telecare National Framework Agreement , the terms and conditions of the NHS purchasing and Supply Agency contract applied to the procurement. These terms and conditions do depart from the Council's standards.	N/a
30/10/06	Safer Routes – reduction of violent crime in the City	Section 3, Rules 11 and 19	To meet the deadlines imposed by the funding stream, Leicestershire Constabulary were invited to extend the existing contract to cover this enlarged area. The time deadline did not allow for a competitive process.	N/A
30/10/06	Domestic Violence Integrated Response Project	Section 3, rules 11 and 19	The funding stream has to be spent during the financial year. The time remaining did not allow sufficient time for a tendering process. VFM is satisfied by moving from a funding arrangement to a procurement model driven by a specification.	N/A
30/10.06	Fit and Active Buddies Programme	Section 3, Rules 11 and 19	The funding stream has to be spent during the financial year. The time remaining did not allow sufficient time for a tendering process. VFM is satisfied by moving from a funding arrangements to a procurement model driven by a specification.	N/A
1/11/06	Offenders in employment programme	Section 3, rules 11 and 19	The funding stream has to be spent during the financial year. The time remaining did not allow sufficient time for a tendering process. VFM is	N/A

<b>Date</b>	<b>Scheme</b>	<b>Contract Procedure Rule affected</b>	<b>Reason for waiver</b>	<b>Member who was consulted and gave support</b>
			satisfied by moving from a funding arrangement to a procurement model driven by a specification.	
23/11/06	Extension of National Schedule of Rates Measured Term Contract	Section 4, Rules 15, 16 and 23	The tendering process commenced in March, 2006 but in order to fully explore alternative delivery options it was decided to extend the existing arrangements for a six month period.	N/A
27/11/07	Health Trainer Programme	Section 3, Rules 11 and 19	The funding stream has to be spent during the financial year. The time remaining did not allow sufficient time for a tendering process. VFM is satisfied by moving from a funding arrangement to a procurement model driven by a specification.	N/A
27.11.06	Youth Inclusion Programme	Section 3, Rules 11 and 19	The funding stream has to be spent during the financial year. The time remaining did not allow sufficient time for a tendering process. VFM is satisfied by moving from a funding arrangement to a procurement model driven by a specification.	N/A
12/12/06	Small Grants Programme (Regeneration Programme)	Section 3, rules 11 and 19.	The funding stream has to be spent during the financial year. The time remaining did not allow sufficient time for a tendering process. VFM is satisfied by moving from a funding arrangement to a procurement model driven by a specification.	N/A
14/12/06	Community Empowerment Network	Section 3, Rules 11 and 19	This waiver appoints an agent to act on behalf of the Council. The services required to deliver the two mandatory outcomes, SSC4 and SSC14 will be sourced from other providers on behalf of the Council.	N/A
19/12/06	Small Grants Programme (Children	Section 3, rules 11	The funding stream has to be spent during the financial year. The time remaining did not allow	N/A

<b>Date</b>	<b>Scheme</b>	<b>Contract Procedure Rule affected</b>	<b>Reason for waiver</b>	<b>Member who was consulted and gave support</b>
	and Young Peoples Theme)	and 19	sufficient time for a tendering process. VFM is satisfied by moving from a funding arrangement to a procurement model driven by a specification.	
21/12/06	Appointment of Theatre Planners	Section 3, Rule 19	This waiver is to procure the services of a theatre planner to oversee and co-ordinate the tendering installation and commissioning of equipment for the PAC. The waiver appoints Leicester Theatre Trust as planners in order to minimise risk to the Council.	N/A
21/12/06	Installation of Kitchens in Leicester City Council houses (3 waivers)	Section 4, Rule 15	To cope with anticipated demand for this service, contractors from the "bathroom contract" will be permitted to undertake kitchen installations. All contractors tendered and are engaged on identical schedule of rates contracts, therefore, value for money is assured.	N/A
21/12/06	Installation of bathrooms in Leicester City Council houses (2 waivers)	Section 4, Rule 15	To cope with anticipated demand for this service, contractors from the "kitchens contract" will be permitted to undertake bathroom installations. All contractors tendered and are engaged on identical schedule of rates contracts, therefore, value for money is assured.	N/A
15/1/07	Voluntary and Community Sector Children and Young Peoples Participation	Section 3, rules 11 and 19	The funding stream has to be spent during the financial year. The time remaining did not allow sufficient time for a tendering process. VFM is satisfied by moving from a funding arrangement to a procurement model driven by a specification.	N/A
26/2/07	Renewal of Water and Mains within St. Matthews and	Section 4, Rule 15	Quotations were obtained in accordance with our procedure for large contracts, using the Select List. Upon examination the contractor offering the best	N/A

Date	Scheme	Contract Procedure Rule affected	Reason for waiver	Member who was consulted and gave support
	Braunstone Areas.		value was not on the Select List. This waiver regularises this position, saving the Council significant costs.	
26/2/07	Project Assurance and Commercial Negotiations	Section 3, Rule 15	The requirements of this contract were outside the remit of any current contract. Due to the urgent nature of this service this waiver allows the appointment of a company who may have carried out similar work for us.	N/A