

- The expenditure of the local element of CIL monies raised within the area
- Devolved s.106 monies where there is a decision to made in relation to what and where the monies should be spent (as opposed to when the funds have already been earmarked for a specific project as part of the agreement)

5. Summary of the executive functions to be discharged by the Chief Executive and Executive Directors

1.1 Chief Executive

To the extent permitted by law, any executive function not being a key decision may be exercised by the Chief Executive notwithstanding its delegation to another Executive Director.

5.2 **Adults and Communities Directorate Functions**

Any function of the executive falling within the portfolio of the **Adult and Communities Directorate** including functions relating to:

- (a) Adult Social Care;
- (b) Communities and Public Health;

shall be executed by the Executive Director – People notwithstanding its onward delegation in the officer schemes of delegation.

5.3 **Children & Education Directorate Functions**

Any function of the executive falling within the portfolio of the **Children & Education Directorate** including functions relating to:

- (a) Children and Families Services;
- (b) Educational Improvement;

5.4 **Resources Directorate Functions**

Any function of the executive falling within the portfolio of the **Resources Directorate** including functions relating to:

- (a) Finance management;
- (b) Workforce and Change;
- (c) Legal and Democratic Services;
- (d) Digital Transformation;
- (e) Policy, Strategy and Partnerships;
- (f) Commercialisation;

shall be executed by the Chief Executive notwithstanding its onward delegation in the officer schemes of delegation.

5.5 **Growth and Regeneration Directorate Functions**

Any function of the executive falling within the portfolio of the **Growth and Regeneration Directorate** including functions relating to:

- (a) Development of Place;
- (b) Economy of Place;
- (c) Management of Place;
- (d) Housing and Landlord Services;

shall be executed by the Executive Director – Growth and Regeneration notwithstanding its onward delegation in the officer schemes of delegation.

6. **Delegation of executive functions to other officers**

Each **delegated officer** shall be entitled to discharge executive functions allocated to the department described in section 5 above for which s/he is the **delegated officer**, subject to the general provisions governing delegations contained in section 7 below:

- (a) The officer occupying the post of Director: Legal and Democratic Services (and members of his/her team under his/her direction) is authorised to do all things necessary to perform legal services in connection with the discharge of **executive functions** delegated under this section of the constitution. For the avoidance of doubt the conferring of the function on the officer occupying the post of Director: Legal and Democratic Services is not to intend or remove the power of any authorised officer engaged in investigation to obtain or seek from a Justice of the Peace, or the court, a warrant of entry, Order under RIPA 2000 or other process ancillary to the investigation he or she is engaged in.
- (b) The officer designated as the Chief Finance Officer (and his/her team under his/her direction) is authorised to do all things necessary in the performance of financial services and insurance arrangements in connection with the discharge of **executive functions** delegated under this section of the constitution.
- (c) In addition to any other delegation to an officer contained in this section of the constitution, each council officer may discharge any **executive function** as necessary for them to perform such of the duties as are set out in their job description as they are required to undertake by the officer or officers responsible for their management and subject to the general provisions governing delegations contained in section 7 below.
- (d) The officers specified in this paragraph may institute criminal proceedings at designated police stations by requesting the custody officer to charge a suspect on the council's behalf, but only:
 - (i) in connection with offences the council has power to enforce; and
 - (ii) following consultation with the Director: Legal and Democratic Services or an appropriate member of his/her team, except when the officer is acting outside of normal council business hours.

The following officers in the trading standards team are so authorised: trading standards manager or acting manager; enforcement officer; accredited financial investigator; trading standards officer.

The following officers in the South West illegal money lending/scambuster team are so authorised: South West regional enforcement manager or acting manager; senior investigator; investigator.

7. General provisions governing delegations to neighbourhood committees, officers and executive members

- 7.1 The conferring of a delegated power is not intended to and does not in fact supersede or replace any statutory requirement or override any provision of