

BRENTWOOD BOROUGH COUNCIL

Record of Delegated Decision by Officer (The Openness of Local Government Bodies Regulations 2014)

Name: Phil Ruck

Post: Head of Paid Service

<p>Source of Delegated Authority (incl. ref.)</p>	<p>Under the Constitution Appendix A ('Delegations to Staff, Emergency Powers & Action EM2/1 Urgent Action – Standing Orders, there is delegated authority for the urgent exercise of council's powers by an Officer (SO 40). Any officer, where the exercise of such powers has been sanctioned orally or in writing by the Chair or in her absence the Vice chair of the Policy, Finance & Resources Committee...together with the Mayor of the Borough and Leader of the Council (or in their absence the Deputy Mayor and deputy Leader respectively).</p>
<p>Record of Decision itself Made</p>	<p>At the Ordinary Council Committee on 29 June 2016 the following was agreed in respect of the proposed purchase of this property:</p> <ol style="list-style-type: none"> 1. That delegated authority be given to the Chief Executive and Section 151 Officer in consultation with Group Leaders or their Deputy to purchase 1-2 Seven Arches Road, Brentwood, CM14 4JG for up to the amount detailed 2. That a capital budget is approved for the purchase of 1-2 Seven Arches Road, Brentwood, CM14 4JG as set out in Appendix A. 3. That a full business case for the redevelopment of the property be prepared for consideration by the Policy, Finance and Resources Committee.
<p>Date of Decision</p>	<p>7 September 2016</p>
<p>Reasons for decision</p>	<p>To follow the decision taken at the Ordinary Council Committee on 29 June 2016</p>
<p>Any alternative options (if any) considered and rejected</p>	<p>Not Applicable</p>
<p>Where express specific delegated authorization exercised, any declaration of interest by a Member</p>	<p>None</p>
<p>Date of Record Completed</p>	<p>September 2016</p>

I, Philip Ruck, confirm that I have exercised my power, in accordance with the delegated power under the Council's constitution at Appendix A, EM2/1. Councillor Louise McKinlay and the Mayor have been duly consulted prior to my making of this decision in accordance with the above provisions of the Council's constitution and this record is accordingly made in the exercise of such Delegated Power.

Signature:  P.L. Ruck 7/9/16.

What decisions must be recorded?

Certain decisions under delegated power are required to be recorded in writing by the officer exercising delegated power.

- Those decisions made 'under a specific express authorisation'
- Those decisions made 'under a general authorisation to officers to take such decisions and, the effect of the decision is to –
 - (i) grant a permission or licence;
 - (ii) affect the rights of an individual; or
 - (iii) award a contract or incur expenditure which, in either case, materially affects the Borough Council's financial position'

When must the written record be produced and what is it required to contain?

As soon as 'reasonably practicable' after the decision has been made.

The written record must contain:-

- (1) the decision date,
- (2) the decision reasons,
- (3) the record of the decision itself,
- (4) any alternative options (if any) considered and rejected, and
- (5) any declaration of conflict of interest by a member of the Council (where specific express authorisation being exercised).

if (1), (2) & (3) above is already being done, it does not have to be repeated BUT (4) & (5) are still required to be added to that written record
AND the written record must be published on the website and made available for public inspection at the Council's offices (subject to exceptions if confidential/exempt information).