

BRENTWOOD BOROUGH COUNCIL

Record of Delegated Decision by Officer [The Openness of Local Government Bodies Regulations 2014]

Name: Christopher Potter

Post: Monitoring Officer

<u>Source of Delegated Authority (incl. ref.)</u>	Brentwood Borough Council Constitution (June 2014) page 211: Scheme of Delegation: CA1/1 (1)
<u>Record of Decision itself Made</u>	That a Deed of Variation be entered into, sealed, and completed in order for an accurate plan to be attached to a lease to a property sold under the 'Right to Buy' legislation. (Details of the property itself are contained in an e-mail dated 25 November 2014 from Laurie Gibbins to Christopher Potter but withheld as it contains exempt information, namely information relating to any individual – paragraph 1 of Schedule 12A to the Local Government Act 1972).
<u>Date of Decision</u>	25 November 2014
<u>Reasons for decision</u>	The reasons are as stated above.
<u>Any alternative options (if any) considered and rejected</u>	None
<u>Where express specific delegated authorization exercised, any declaration of interest by a Member</u>	Not applicable as a general delegation is being used.
<u>Date of Record Completed</u>	25 November 2014

I confirm that arrangements have been made by me for this information to be published on the website as required by law and to be made available for public inspection at the Town Hall. Please send this record when completed to Democratic Services (FAO Zoey Foakes).

Valid as at 18/11/14

published 5/12/14

Signature:



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).

