

**SCHEDULE OF EXERCISE OF DELEGATED POWERS**

Delegated power No or details of power exercised	Date of Exercise	Details of Case & Decision Taken	Consultation Undertaken	Commercial in confidence
<p>Under the Constitution Appendix A ('Delegations to Staff, Emergency Powers &amp; 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 &amp; 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). A report will be made on the circumstances which necessitated the exercise of these powers to Members via the Members' Newsletter.</p>	<p>05 Jan 2016</p>	<ol style="list-style-type: none"> <li>1. To agree to accept the surrender of the current lease by RCO Support Services Ltd who have abandoned the property and are in breach of the lease and to agree to the Council entering into a Deed of Surrender with the lessee to terminate the lease; and</li> <li>2. To agree to the grant of a new licence with Rainham Steel Investments Ltd for one year from the commencement of the licence agreement and generate income for the Council</li> <li>3. In the interest of good estate management</li> </ol>	<p>Philip Ruck Cllr McKinlay Mayor Mark Reed</p>	<p>No</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 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.

Name: Philip Ruck

Signed:  .....

Head of Paid Service

Date: 6/01/16 .....


Name: Cllr Louise McKinlay

Signed: .....

Chair of Policy, Finance and Resources & Leader

Date: ...12/1/16.....

Name: Mark Reed

Signed: .....

Mayor

Date: ...5/1/2016.....

**BRENTWOOD BOROUGH COUNCIL**

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

**Name:**

**Post:**

<u>Source of Delegated Authority (incl. ref.)</u>	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). A report will be made on the circumstances which necessitated the exercise of these powers to Members via the Members' Newsletter.
<u>Record of Decision itself Made</u>	To accept the surrender of the lease from the current lessee, RCO Support Services Ltd, due to their abandonment of the property and breach of the lease and to enter into a new licence agreement with Rainham Steel on terms agreed with the Council. Expressions of interest were sought and Rainham steel were the highest bidder hence the reason we have chosen to give them the licence.
<u>Date of Decision</u>	15 December 2015
<u>Reasons for decision</u>	To exercise good estate management
<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>	None
<u>Date of Record Completed</u>	15 December 2015

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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 Karen O'Shea ).

Signature:  6/01/16.

**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).

