

Appendix B

It is recommended that Sections c, d and h in the section below are now deleted to ensure coherence with the new Contract Procedure Rules (see sections in bold below):

Part 3, Section 1, paragraph 6 of the Constitution:

6. Limit on Exercise of Executive Functions

1 Individual Cabinet Members

Where any delegated power is allocated to an individual Cabinet Member and that Member is absent or otherwise unable to act the power is allocated to the Leader and in the Leader's absence to the Deputy Leader.

- a) Any delegated power includes the authority to undertake any action incidental to the application of the delegated power.
- b) Subject to the following prescriptive provisions, individual Cabinet Member may exercise their delegated powers to make decisions on any matters falling within the Cabinet Member's portfolio (other than decisions which are contrary to the Policy Framework or contrary to or not wholly in accordance with the approved Budget) which, if delayed, would seriously prejudice the Council's or the public's interests.
- c) In respect of any contract having an estimated value exceeding £1,000,000 but not exceeding £5,000,000:**
 - i) To authorise the invitation of tenders; and**
 - ii) To accept a tender other than the lowest tender received where payment is to be made by the Council, or other than the highest tender received where payment is to be received by the Council where there are special reasons approved by the Section 151 Officer for not accepting the lowest tender or the highest tender as the case may be.**
 - iii) To authorise invitation of tenders, to accept a tender or enter into a contract in accordance with any exemption under the Council's Contract Procedure Rules.**
- d) In connection with services falling within the Cabinet Member's portfolio to authorise the submission of tenders for the supply of goods, works or services to another local authority or a public body in accordance with the powers conferred upon the Council by the Local Authorities (Goods and Services) Act 1970 where the estimated value of the proposed tender exceeds £1,000,000 but does not exceed £5,000,000.**
- e) To authorise the disposal of surplus goods acquired in connection with services falling within the Cabinet Member's portfolio having an estimated total value exceeding £100,000 but not exceeding £200,000.

f) To declare land or buildings utilised in connection with services falling within the Cabinet Member's portfolio surplus to requirements.

g) To approve, subject to the budget process:

i) Fees and charges for new services in accordance with any relevant charging policy approved by the Cabinet; and

ii) Increases in existing fees and charges which are in accordance with any relevant charging policy approved by the Cabinet and which are necessary to reflect either inflation or other increases in costs.

h) To authorise the appointment of consultants providing a professional service whose fees are estimated to exceed £100,000.