

Southend-on-Sea City Council

**Agenda
Item No.**

**Report of Executive Director
Neighbourhoods and Environment
to
Cabinet
On
26 July 2022**

Report prepared by: Alistair Turk
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Reports approved under the Delegated Authority Report process

Relevant Scrutiny Committee(s): Place Scrutiny
Cabinet Member: Councillor Steven Wakefield

1. Purpose of Report

- 1.1 Cabinet at its July 2021 meeting agreed changes to the constitution (minute No. 226) that enabled certain decisions to be taken by Officers. This was ratified by Council at its September 2021 meeting (minute No. 309).
- 1.2 In order for decisions taken under delegated authority to be transparent and recorded it was agreed that the Head of Traffic and Highways will produce a summary report of the decisions made under the Delegated Authority Report (DAR) process for Cabinet.
- 1.3 The report is presented **for information only**.

2. Recommendation

- 2.1 **Cabinet are recommended to note the decisions taken under Delegated Authority that are summarised in the body of the report with the DAR for each decision set out in the Appendices.**

3. Background to policy decisions taken under DAR

- 3.1 Local authorities that are traffic/highway authorities are required to formulate and regularly review policies on matters relating to the discharge of its statutory and operational functions.
- 3.2 Southend has a number of legacy policies which were originally introduced by Essex County Council when it was the traffic/highway authority for the Southend borough/city area and have remained in place after Southend became a Unitary

authority. There are a number of other policies which set out how the operational processes the Council will apply when carrying out statutory functions under the Highways Act 1980 and/or Road Traffic Regulation Act 1984.

Policies approved under DAR

3.3 The existing policies listed below have been reviewed and updated and were approved under the Delegated Authority procedure. The link to the updated policies is **set out in Appendix 1 of this report.**

1. Advanced payment code policy; (review)
2. Consent of excavations policy; (review)
3. Conversion of public rights of way to cycle tracks policy; (review)
4. Road adoption policy. (review)

4. Background to scheme decisions taken under Delegated Authority

4.1 The operational decision making aspects of scheme progression that already have Cabinet approval are now progressed under the DAR process. The Matters that have received delegated authority are summarised below and the link to the DAR is **set out in Appendix 2 of this report.**

5. Corporate Implications

5.1 Contribution to the Southend 2050 Road Map

The implementation of the constitutional changes and the delegation of certain decisions to Officers is seen as key contributors to the Road Map particularly in the ability to deliver a programme of work more efficiently and to reduce potential delays in decision making.

6. Financial Implications

6.1 None. Cabinet have already approved funding for these schemes.

7. Legal Implications

7.1 The delegation of decision making to Officers is in accordance with the constitutional amendments approved by Council in September 2021 (minute No. 309 relates).

8. Consultation

8.1 The Portfolio Holder and appropriate Ward Councillors have been consulted as part of the delegated authority process.

9. Equality analysis

9.1 The equality analysis is set out in **Appendix 3** to the report.

Background Papers

Cabinet minutes 27 July 2021 (minute No. 226).

[Agenda Template \(southend.gov.uk\)](https://www.southend.gov.uk/agenda-template)

Council minutes September 2021 (minute No. 309).

[Agenda Template \(southend.gov.uk\)](https://www.southend.gov.uk/agenda-template)

Appendix 1

Amended policies

[Advanced Payment Code Policy V1.0.pdf](#)

[Consent of Excavations Policy V1.0.pdf](#)

[Conversion of Public Rights of Way to Cycle Tracks Policy V1.0.pdf](#)

[Road Adoption Policy V1.0.pdf](#)

Appendix 2

Delegated authority for scheme progression



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Appendix 3

Equality Assessment

[EA DA Cabinet June22 \(signed\).docx](#)