

# Scheme of Delegation

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Approved by	Consent from the GLA Executive Director of Good Growth, on behalf of the Mayor, on 21 August 2024 Audit and Risk Committee, 11 September 2024 Board, 26 September 2024
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Changes from previous version (September 2023)	<p>Key changes include:</p> <ul style="list-style-type: none"><li>• Updating job titles to reflect current roles and positions</li><li>• Updating the Project Gateway pathways and thresholds to ensure best practice and value for money is achieved</li><li>• Changing the Financial Thresholds associated with Decisions and approvals</li><li>• Changing authorisation around Contracts and other legal documents to reflect OPDC's organisational structure.</li><li>• Introducing the Request to Sign form to give assurance of the steps and checks taken for formal documents or contracts that need authorisation</li></ul>
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Review date	September 2025
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Senior owner	Head of Governance
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Document owner	Corporate Performance & Governance Manager
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1. This Scheme of Delegation of the Old Oak and Park Royal Development Corporation (OPDC) has been adopted by the Board (meaning the Members of OPDC meeting as such) and can only be altered by the Board and in accordance with the OPDC Governance Direction.
2. Financial commitments may only be made pursuant to a delegation once all necessary approvals and authorisations have been obtained, including the appropriate Decision Form and:
  - a) For projects with a value of £1,000-£75,000, concept form, short business case and project initiation document need to be completed.
  - b) For projects with a value of up to £250,000, a concept form, medium business case and project initiation document need to be completed before orders or contracts are placed.
  - c) For projects above £250,000, a concept form, long business case and project initiation document must be completed before procurement commences.
  - d) In addition, projects and contracts above the relevant Find a Tender (FTS) threshold are subject to the Public Contracts Regulations 2015 (as may be amended, supplemented or replaced from time to time) (Procurement Regulations). OPDC's Contracts and Funding Code has set £150,000 as the FTS threshold for goods and services and £4,000,000 for works and land development opportunities for the application of the rules and procedures prescribed in the Procurement Regulations. Specific advice must be sought from TfL Procurement and Commercial and legal for procurement of contracts above these thresholds.<sup>1</sup>
3. Delegations may only be exercised in accordance with OPDC's Financial Regulations and Contracts and Funding Code. Budgetary controls will be maintained through the OPDC's finance department.
4. The table below sets out how the functions of the OPDC are delegated to staff, or reserved to the Board or to Committees.
5. Expenditure may only be incurred within budgets and for purposes approved by OPDC's Board, generally through its approval of the Corporation's budget and/or business plan.
6. The notes on OPDC approvals are provided for guidance only. They reflect the provisions of the Localism Act 2011.

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<sup>1</sup> These documents need to be submitted to the budget holder and the relevant governance and finance business partner for approval. The thresholds do not include costs associated with VAT.

Type of decision	Delegation	Notes
General delegation	<p>The Board delegates, to any Executive Director, Director, Assistant Director, Heads of Service or equivalent, all of the functions of the OPDC (other than those functions within the delegations to the Planning Committee) that are within the scope of that officer's job description, provided that this excludes any decision:</p> <p>a) on a matter that is reserved to the Board or a Committee, the Chief Executive Officer, or other specified officers, under these delegations, or  b) for which there is no budget provision, or  c) which may be novel, contentious or repercussive.</p> <p>And in each case subject to the recording of their decisions and all considerations relevant to those decisions in a manner consistent with the procedures approved from time to time by the Chief Executive Officer.</p>	
Urgent action	<p><b>(A): Urgent action by Chair of the Board and other Chairs</b></p> <p>The Board delegates to each of the Chairs of the Board and Committees, the exercise of any function of the Board or a Committee of the OPDC where in the Chief Executive Officer's opinion, the matter to be decided is urgent and it is not possible and / or practicable to (i) convene an urgent meeting of the Board or the appropriate Committee or (ii) use the Remote Decision-Making Procedures, provided that, prior to taking action, the relevant Chair consults all available Members of the Board or</p>	<p>Any Chairs' or Chief Executive Officer's action taken using this provision must be recorded in writing, along with (as relevant), the Chairs and Members consulted and their views (if any) and reported to the proceedings of the next corresponding Board or Committee (as applicable).</p> <p>Reference to the Chief Executive Officer above includes any member of staff acting-up into that position on a temporary or permanent basis.</p> <p>The "Remote Decision-Making Procedures" means such procedures as are approved by the Corporation from time to time for the taking of decisions by remote means in accordance with the Scheme for Remote Decision-</p>

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	<p data-bbox="533 180 1279 244">relevant Committee notifying them in advance of the intended action and seeking their views.</p> <p data-bbox="533 292 1272 331"><b>(B): Urgent action by the Chief Executive Officer</b></p> <p data-bbox="533 379 1279 890">In such circumstances and where the relevant Chair is unavailable for any reason, and where any urgent matter involves reputational, financial or legal risk to the Corporation, and it is not possible and / or practicable to (i) convene an urgent meeting of the Board or the appropriate Committee or (ii) use the Remote Decision-Making Procedures, the Board delegates to the Chief Executive Officer the exercise of any functions of the OPDC in relation to the urgent matter provided that, prior to taking action, the Chief Executive Officer shall consult all available Members of the corresponding Board or Committee notifying them of the intended action and seeking their views within a reasonable time frame.</p> <p data-bbox="533 970 1279 1114">All staff are delegated the authority to take emergency action in case of imminent danger to life or limb, in consultation with the most senior member of staff present or available by remote means.</p>	<p data-bbox="1301 180 1417 212">Making.</p>

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Spending, grants, asset disposals	<p>The Board reserves the approval of procurement, spend and commercial transactions (including disposals) other than as follows:</p> <ul style="list-style-type: none"> <li>• The Development, Investment and Sustainability Committee (DISCo) can give approval within budgets and programmes delegated by Board and will inform Board each time such a delegation is exercised.</li> <li>• Otherwise, the Chief Executive Officer can give approval up to £500,000 within approved budgets.</li> <li>• The Chief Finance Officer, Corporate Operations Officer and Executive Director of Delivery can individually give approval up to £300,000 within approved budgets.</li> <li>• Any Director can give approval up to £250,000 within approved budgets.</li> <li>• Any Assistant Director or Head of Service can give approval up to £75,000 within approved budgets.</li> <li>• Any Manager can give approval up to £10,000 within their approved budgets.</li> </ul>	<p>Sums referred to are cumulative rather than annual (e.g. a ten-year contract paying £3m per annum would require full Board approval).</p> <p>Officers should note the following consents are required from the Mayor:</p> <ul style="list-style-type: none"> <li>• Giving financial assistance (e.g. grants) to any person or organisation (except where such grants are for less than £500,000, and are made in line with the OPDC's policy on grants, or are less than £10,000 and the legal and finance teams are satisfied that the grant has been made in a fair, open and transparent manner);</li> <li>• Disposal of land for less than best consideration which can reasonably be obtained, or disposal of land that was compulsorily purchased; and</li> <li>• Permitting a subsidiary to borrow money, raise stock, or raise finance otherwise than from the OPDC, or which is not included in that subsidiary's business plan.</li> </ul> <p>Under the Old Oak and Park Royal Development Corporation Governance Direction 2019, prior consent must be obtained from the Mayor for any item of capital or revenue expenditure which cannot be contained within OPDC's approved budget for the year.</p>

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Contracts and other legal documents	<p><b>Contracts or other legal documents</b></p> <p>The signature or execution of all contracts or other legal documents, which are not deeds, require a signature from one of the following postholders listed below:</p> <ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Chief Finance Officer;</li> <li>• Chief Operating Officer;</li> <li>• Executive Director of Delivery;</li> <li>• any Director;</li> <li>• any Assistant Director;</li> <li>• Head of Programme Management Office; or</li> <li>• any other employee appointed in writing (via email) either by the Chief Executive Officer or Chief Finance Officer.</li> </ul> <p><b>Deeds</b></p> <p>Deeds may be executed on behalf of the OPDC by application of the seal in accordance with paragraph 11 of Schedule 21 to the Localism Act 2011. The application of the OPDC seal will be authenticated by the signature of any one of the following postholders:</p> <ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Chief Finance Officer;</li> <li>• Chief Operating Officer;</li> <li>• Executive Director of Delivery;</li> <li>• Any Director; or</li> <li>• Chair of OPDC Board</li> </ul>	<p>Consequential amendments have been made to the Financial Regulations and Standing Orders.</p> <p>For contracts or other legal documents, the signatory will normally be the relevant Senior Officer or budget holder responsible for that area of work/documentation.</p> <p>The documents/contracts going to Executive Directors or Directors, where possible, need to have the OPDC 'Request to Sign/Discharge a Legal Agreement' document adjoining them to show assurance from the following areas has already been obtained:</p> <ul style="list-style-type: none"> <li>○ Legal</li> <li>○ Governance</li> <li>○ Finance</li> <li>○ Board/Audit and Risk Committee/DISCO</li> </ul> <p>As noted elsewhere, for documents that fall within the Planning Directorate, please refer to the Planning Scheme of Delegations, adopted on 1 April 2015.</p>

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	<p><b>Section 106 Agreements</b></p> <p>Agreements entered into pursuant to s.106 of the Town and Country Planning Act 1990 may be signed on behalf of OPDC by any two people from Group 1 (below) or one person from Group 1 and one person from Group 2 (below):</p> <p>Group 1 –</p> <ul style="list-style-type: none"> <li>• Chief Executive Officer;</li> <li>• Chief Finance Officer or Chief Operating Officer;</li> <li>• Director of Planning.</li> </ul> <p>Group 2 –</p> <ul style="list-style-type: none"> <li>• Head of Planning Development;</li> <li>• Team Leader (Major and Complex Applications); or</li> <li>• any other employee appointed in writing (via email) either by the Chief Executive Officer or Chief Finance Officer.</li> </ul>	
Applying for planning permissions	The Board delegates the decision to apply for planning permission to the Chief Executive Officer, unless the application is novel or contentious, or has financial implications that would make it subject to approval by Board or relevant Committee.	

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Compulsory purchase order	Making compulsory purchase orders is reserved to the Board.	Officers should note that making compulsory purchase orders requires the Mayor's consent.
Budget, business and annual report	The agreement of the annual budget, the business plan, and the annual report and accounts is reserved to the Board.	<p>The OPDC is required to consult the Mayor before the Board approves the draft budget and business plan for the purpose of their formal submission to the GLA as part of the GLA Group's annual statutory budget approval process.</p> <p>The OPDC is required to obtain the consent of the Mayor before the Board considers the business plan for approval.</p>
Bodies corporate	<p>The following decisions are reserved to the Board:</p> <ul style="list-style-type: none"> <li>• The formation and dissolution of bodies corporate or partnerships;</li> <li>• The acquisition of more than 25 per cent of the shareholding of any company; and</li> <li>• The appointment and removal of directors to bodies corporate or partnerships.</li> </ul>	<p>Officers should note that forming or acquiring interests in bodies corporate requires the Mayor's consent.</p> <p>Governance arrangements are detailed in OPDC's 'Governance arrangements for bodies corporate' policy.</p>



Type of decision	Delegation	Notes
Appointments and governance	<p>The following decisions are reserved to the Board:</p> <ul style="list-style-type: none"> <li>• Minor amends and approval of updates to Standing Orders, Schemes of Delegation, and financial regulations;</li> <li>• Adoption of Terms of Reference for committees;</li> <li>• The appointment of Board Members to committees;</li> <li>• The settlement of any claim against the Corporation involving allegations of discrimination or whistle-blowing.</li> </ul> <p>All other settlements on termination of employment that include more than pay in lieu of notice are reserved to the Chief Executive Officer.</p> <p>The Chief Executive Officer is responsible for the employment of staff (except the Chief Financial Officer) and staffing matters.</p>	<p>The following matters require the Mayor's consent:</p> <ul style="list-style-type: none"> <li>• Approving terms and conditions for appointing staff;</li> <li>• Determining rates and eligibility criteria for staff remuneration, travelling and other allowances, pensions and gratuities;</li> <li>• Recruitment and appointing Board Members</li> <li>• Appointing non-Board members to a committee or sub-committee;</li> </ul> <p>The following matters require the Mayor's prior consent:• The appointment of a Chief Executive Officer.</p> <p>OPDC is required to consult the Mayor before making any significant changes to the following documents:</p> <ul style="list-style-type: none"> <li>• Standing Orders</li> <li>• Scheme of Delegation</li> <li>• Other rules and procedures</li> <li>• Expenses and benefits framework</li> </ul> <p>The Mayor has delegated to the OPDC responsibility for determining rates and eligibility criteria for Board allowances, subject to consultation with the Mayor.</p>
Planning	<p>Authority for planning decisions is delegated as per the separate Planning Scheme of Delegation, adopted on 1 April 2015.</p> <p>The agreement of local planning policy including community infrastructure levy charging schedules is reserved to the Board, though the Planning Committee may advise on these matters.</p>	<p>Consequential amendments have been made to the Planning Scheme of Delegation.</p>