

PROPOSED NEW WORDING & RENUMBERED (proposed changes explained in table below)

DIRECTOR OF LEGAL, GOVERNANCE & CHANGE

Subject to the General provisions and Limitations and in addition to the General Delegations, the Director of Legal Governance and Change has the following powers: -

1. PROPER OFFICER & GENERAL DELEGATIONS

- 1.1 to act as the Proper Officer of the council for the purposes of the declaration of acceptance of office as a councillor and the receipt of resignations of councillors in accordance with Section 33 and Section 34 of the Local Government (Scotland) Act 1973 respectively;
- 1.2 to act as the Proper Officer of the Council for the purposes of: -
 - a) council notice and summons to attend meetings under Section 43, Schedule 7, paragraph 2 of the Local Government (Scotland) Act 1973;
 - b) access to information under Section 50B, 50C and 50F of the Local Government (Scotland) Act 1973;
 - c) Section 189(2) of the Local Government (Scotland) Act 1973, to institute, defend or appear in summary jurisdiction proceedings;
 - d) the service of legal proceedings, notices etc, in terms of Section 190 of the Local Government (Scotland) Act 1973, claims in sequestrations and liquidations (excluding those for outstanding local taxes etc) under Section 191 of the Local Government (Scotland) Act 1973, the authentication of documents under Section 193 of the Local Government (Scotland) Act 1973 and the inspection and deposits of documents under Section 197 of the Local Government (Scotland) Act 1973;
 - e) Procedure etc for and register of byelaws under Section 202 and 202B of the Local Government (Scotland) Act 1973, and evidence of byelaws under Section 204 of the Local Government (Scotland) Act 1973;
 - f) application to Sheriff in cases of difficulty, under Section 231 of the Local Government (Scotland) Act 1973;
 - g) property held on trust (unless the Council have otherwise specified the appointment of another officer for any of such purposes), under Section 16 under the Local Government etc. (Scotland) Act 1994;

- h) meeting rooms and declaration as to election expenses in accordance with Schedule 5, Section 95 and 82 (2) of the Representation of the People Act 1983;
 - i) evidence of management rules under Section 113 of Civic Government (Scotland) Act 1982;
 - j) the Scottish Local Government Elections Order 2011;
 - k) Schedule 2 of the Requirements of Writing (Scotland) Act 1995;
 - l) procedure in preparation of reorganisation of schemes under Section 112 of the Education (Scotland) Act 1980; and
 - m) evidence management rules, under Section 113 of the Civic Government (Scotland) Act 1982.
- 1.3 to act as the Monitoring Officer in accordance with section 5 of the Local Government and Housing Act 1989;
 - 1.4 to act as the Returning Officer for Community Council elections and the Depute Returning Officer for Parliamentary and Local Government elections and as Depute Counting Officer in respect of Referenda;
 - 1.5 to act as the Chief Information Governance Officer to ensure that the council complies with the Public Records (Scotland) Act 2011;
 - 1.6 following consultation with the Director of Finance, to determine ex gratia payments in respect of claims against the council of up to £5,000, provided appropriate allowance is made in the approved revenue budget;
 - 1.7 to approve and implement minor revisions to Standing Orders, Schemes of Delegation, Order of Reference of Committees and related documents;
 - 1.8 to implement the setting of local traders' holidays;
 - 1.9 to commit any funding from the approved Change Fund revenue budget allocation, in accordance with the approved Terms of Reference for the Change Fund.

2. LEGAL - LITIGATION

- 2.1 to sign on behalf of the council any claim in any sequestration, liquidation or other such proceedings (excluding those for outstanding local taxes etc) in which it is entitled to make a claim, and to act its behalf in connection with that claim in all respects in accordance with Section 191 of the Local Government (Scotland) Act 1973;
- 2.2 to raise, settle, defend, conduct, enter into, withdraw or abandon all forms of legal proceedings on behalf of the Council;
- 2.3 to institute, contribute to, defend or appear in, any inquiry held by or on behalf of any minister or public body under any enactment (including, for the avoidance of doubt, proceedings before any statutory tribunal, board or authority);

- 2.4 to engage, instruct, or appoint external legal advisers (including, but not limited to, private firms, counsel and solicitor advocates) and expert witnesses in accordance with approved revenue budget;
- 2.5 to execute (including, when required, the application of the Seal of the council), publish or serve on any person or body any notice, direction, order, licence, summons, writ or other document which the council is required or authorised to execute, publish or serve under the Local Government (Scotland) Act 1973 or any other Act or any regulation or order made thereunder, other than where the execution, publication or service of any document has been delegated by the council to the Chief Executive, Depute Chief Executive, another Director or any other Officer of the council;
- 2.6 to act as Prosecutor in terms of Section 43(2) of the Education (Scotland) Act 1980;
- 2.7 following consultation with the Director of Children, Families and Justice, to establish and thereafter administer a panel of Curators Ad Litem and Reporting Officers as laid down in the Curators Ad Litem and Reporting Officers (Panels) (Scotland) Regulations 2001 and to consult with the Sheriff Principal and other relevant parties as required;
- 2.8 to make minor amendments to the Council's "Policy and Guidelines on the Use of Covert Surveillance and Covert Human Intelligence Sources" and the Council's "Surveillance through Social Media" in light of future legislative changes, best practice, Scottish Government Codes of Practice and Guidance from the Investigatory Powers Commissioner's Office.

3. LEGAL – LICENSING

- 3.1 to approve non-controversial processions and to make orders imposing conditions on the holding of such processions under the Civic Government (Scotland) Act 1982 and to act in accordance with Section 63 of that Act following consultation with the Director of Infrastructure & Environment, the Chief Constable of Police Scotland and, if applicable, the National Park Authority;
- 3.2 in connection with activities which require to be licensed in terms of the Civic Government (Scotland) Act 1982:-
 - (i) to grant, vary or renew licences required subject to standard, mandatory or agreed conditions and subject to no objections or representations being received (and not withdrawn),
 - (ii) to refuse to grant, vary or renew any applications made where the applicant has not provided required documentation (including satisfactory medical evidence as to their fitness to undertake the activity which requires the licence),
 - (iii) to determine whether good cause had been shown to deem an application for renewal of a licence under the Civic Government Scotland (Act) 1982 made up to 28 days after the expiry of the licence to be an application made before the expiry,

- (iv) to order the immediate suspension of a licence in terms of Paragraph 12 of Schedule 1 to the Civic Government (Scotland) Act 1982,
 - (v) to determine whether it is necessary in terms of section 13(4) of the Civic Government (Scotland) Act 1982, to require an applicant for, or a holder of a taxi driver's licence or private hire car driver's licence to submit to medical examination, at their expense, by a medical practitioner nominated by the Director of Legal, Governance & Change,
 - (vi) to reject any application when the statutory consultation period cannot be complied with.
- 3.3 to act as or to designate a suitably qualified officer to act as Clerk to the Angus Licensing Board in terms of the Licensing (Scotland) Act 2005;
- 3.4 to grant, vary and renew licences for activities which require to be licensed, registered or for which the council's consent is required, subject to standard, mandatory or agreed conditions and subject to no objections or representations being received (and not withdrawn) arising from: -
- (i) the Cinemas Act 1985
 - (ii) the Performing Animals Regulation Act 1925
 - (iii) the Pet Animals Act 1951
 - (iv) the Animal Boarding Establishments Act 1963
 - (v) the Riding Establishments Act 1964
 - (vi) the Breeding of Dogs Act 1973
 - (vii) the Dangerous Wild Animals Act 1976
 - (viii) the Zoo Licensing Act 1981
 - (ix) the Breeding of Dogs Act 1991
 - (x) the Licensing of Animal Dealers Regulations 2009
 - (xi) the Deer (Scotland) Act 1996
 - (xii) the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021
- 3.5 to permit public charitable collections in terms of Section 119 of the Civic Government (Scotland) Act 1982 subject to standard, mandatory or agreed conditions and subject to no objections or representations being received (and not withdrawn);
- 3.6 to grant, vary and renew licences for Houses in Multiple Occupation in terms of Part 5 of the Housing (Scotland) Act 2006 subject to no representations whatsoever;
- 3.7 to issue permits under Section 19 of the Transport Act 1985.

4. LEGAL – PROPERTY

- 4.1 to sign or to authorise the signing by an officer of the Council of binding missives and any other documents in accordance the Requirements of Writing (Scotland) Act 1995 on behalf of the council, which has been authorised by the council;

- 4.2 to act as the custodian for safe custody of the title deeds of all land and property in the ownership of the council, the Minutes and other records of the proceedings of the council, its committees and sub-committees and all other records belonging or relating to the council which are not more appropriately retained by another Chief Officer;
- 4.3 following consultation with the relevant Director, to grant or enter into burdens and discharge burdens and securities, minutes of waiver, servitudes and wayleaves in relation to Council owned heritable property;
- 4.4 following consultation with the relevant Director, to assign, sub-let, vary or terminate any lease, sub-lease, occupancy agreement or licence which has been granted or entered into and to serve all requisite notices for assignation, sub-letting, variation or termination;
- 4.5 following consultation with the relevant Director, to conduct a rent review of a lease, sub-lease, occupancy agreement or licence and to serve all requisite notices for review and to engage in negotiation, arbitration or adjudication, as appropriate;
- 4.6 to grant consent in the case of applications for the assignation or sub-lease of subjects, on such terms and conditions, including conditions as to payment or reimbursement of the Council's expenses, as may be appropriate;
- 4.7 to appoint lay representatives in proceedings relating to heritable property in terms of the Lay Representation in Proceedings relating to Residential Property (Scotland) Order 2010.

5. LEGAL – INFORMATION GOVERNANCE

- 5.1 to appoint a Data Protection Officer and Freedom of Information Officer for the purpose of ensuring that the council's obligations in terms of the Data Protection Act 2018 and the Freedom of Information (Scotland) Act 2002 respectively are complied with; and for the purposes of access to information under Sections 50B, 50C and 50F of the Local Government (Scotland) Act 1973;
- 5.2 following consultation with the Chief Executive, to comply with requests for a review of the Council's actions and decisions in relation to requests for information in terms of the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004, and take decisions for that purpose.

6. DEMOCRATIC

- 6.1 to set up, maintain and make available for public inspection the register of interests in accordance with Section 7(1) of the Ethical Standards in Public Life (Scotland) Act 2000.

7. REGISTRATION

- 7.1 to register all births, marriages, deaths, still births and civil partnerships and to perform all other functions under the Registration of Births, Deaths and Marriages (Scotland) Act 1965, the Marriage (Scotland) Act 1977, the Civil Partnership Act 2004, the Marriage and Civil

Partnership (Scotland) Act 2014 and the Civil Partnership (Scotland) Act 2020.

8. PROCUREMENT

- 8.1 to monitor the Council's spend on an annual basis in terms of whether the council's procurement strategy is having a positive or adverse effect on its local and SME (Small Medium Enterprise) supply base;
- 8.2 to exercise all functions on behalf of the Council relating to the operation of the Tayside Procurement Consortium (TPC), including the award of contracts, provided the same is within approved budget expenditure and is in accordance with the Procurement Strategy and any other TPC policy approved for that purpose by the Council.

9. PUBLIC NOTICES

- 9.1 subject to the provisions of any enhancement, to make all public notices, advertisements and invitations to tender, whether by press advertisement or otherwise, required to be given by or on behalf of the Council or any Committee or department thereof.

10. ANGUS ALIVE

- 10.1 following consultation with the Director of Finance, to agree minor amendments to the Memorandum, Articles of Association and any other constitutional document of Angus Alive where those amendments do not alter the extent of the Council's control over Angus Alive, and to execute written resolutions or vote at a general meeting of Angus Alive on behalf of the Council in relation thereto;
- 10.2 to act on behalf of the Council on any other matters arising in respect of Angus Alive, including considering changes to opening hours, provided always that such actions do not alter the extent of the Council's control over Angus Alive;
- 10.3 to approve quarterly Angus Alive management fee invoices in accordance with approved revenue Budget;
- 10.4 to monitor the performance of Angus Alive.
- 10.5 following consultation with the Director of Finance, to agree any requests for procurement authority from Angus Alive for spend decided by the Angus Alive Board.

TABLE 1(e): PROPOSED CHANGES AND REASONS FOR PROPOSED CHANGES

DIRECTOR OF LEGAL, GOVERNANCE & CHANGE				
TABLE OF CHANGES TO THE SCHEME OF DELEGATION				
NEW No.	OLD No.	WHAT IT USED TO SAY	WHAT IT NOW SAYS	REASON FOR CHANGE
1.1	1	To act as the Proper Officer of the	To act as the Proper Officer of the council for	To include reference to

		Council for the functions specified in Standing Order 46 (1) and 46 (2).	the purposes of the declaration of acceptance of office as a councillor and the receipt of resignations of councillors in accordance with Section 33 and Section 34 of the Local Government (Scotland) Act 1973 respectively.	relevant legislation. Was previously in Standing Order 46(1) and (2) but should be in the SoD instead.
1.2	New delegation added	New delegation added.	<p>to act as the Proper Officer for the purposes of:</p> <p>a) council notice and summons to attend meetings under Section 43, Schedule 7, paragraph 2 of the Local Government (Scotland) Act 1973.</p> <p>b) access to information under Section 50B, 50C and 50F of the Local Government (Scotland) Act 1973</p> <p>c) Section 189(2) of the Local Government (Scotland) Act 1973, to institute, defend or appear in summary jurisdiction proceedings.</p> <p>d) the service of legal proceedings, notices etc, in terms of Section 190 of the Local Government (Scotland) Act 1973, claims in sequestrations and liquidations (excluding those for outstanding local taxes etc) under Section 191 of the Local Government (Scotland) Act 1973, the authentication of documents under Section 193 of the Local Government (Scotland) Act 1973 and the</p>	Delegation moved from Standing Order 46(2) as the Standing Order has been removed. Should be in the SoD instead.

inspection and deposits of documents under Section 197 of the Local Government (Scotland) Act 1973.

e) Procedure etc for and register of byelaws under Section 202 and 202B of the Local Government (Scotland) Act 1973, and evidence of byelaws under Section 204 of the Local Government (Scotland) Act 1973.

f) application to Sheriff in cases of difficulty, under Section 231 of the Local Government (Scotland) Act 1973.

g) Property held on trust (unless the Council have otherwise specified the appointment of another officer for any of such purposes), under Section 16 under the Local Government etc. (Scotland) Act 1994.

h) meeting rooms and declaration as to election expenses in accordance with Schedule 5, Section 95 and 82 (2) of the Representation of the People Act 1983.

i) evidence of management rules under Section 113 of Civic Government (Scotland) Act 1982.

j) the Scottish Local Government Elections Order 2011.

k) Schedule 2 of the Requirements of Writing (Scotland) Act 1995

			l) procedure in preparation of reorganisation of schemes under Section 112 of the Education (Scotland) Act 1980 m) evidence management rules, under Section 113 of the Civic Government (Scotland) Act 1982	
1.3	New delegation added	New delegation added	To act as the Monitoring Officer in accordance with section 5 of the Local Government and Housing Act 1989	Delegation moved from Standing Orders
1.4	2	To act as the Returning Officer for Community Council elections	to act as the Returning Officer for Community Council elections and the Depute Returning Officer for Parliamentary and Local Government elections and as Depute Counting Officer in respect of Referenda	To add Depute Returning Officer role.
1.5	26	To act as the Chief Information Governance Officer of the Council	To act as the Chief Information Governance Officer to ensure that the council complies with the Public Records (Scotland) Act 2011	Amendment made to wording to include compliance with relevant act.
1.6	12	in consultation with the Director of Finance, to determine ex gratia payments in respect of claims against the Council of up to £5,000, provided appropriate allowance is made in the	Following consultation with the Director of Finance, to determine ex gratia payments in respect of claims against the council of up to £5,000, provided appropriate allowance is made in the approved revenue budget.	Minor amendment in wording.
1.7	27	To approve and implement minor revisions to Standing	to approve and implement minor revisions to Standing Orders, Schemes of Delegation, Order of	Minor amendment to wording to specify the documents that

		Orders and related documents	Reference of Committees and related documents.	changes can be made to.
1.8	24	the setting of local traders' holidays.	to implement the setting of local traders' holiday.	Minor amendment in wording.
1.19	New delegation added	New delegation added	to commit any funding from the approved Change Fund revenue budget allocation, in accordance with the approved Terms of Reference for the Change Fund	New delegation added - transferred from previous remit of Director of Strategic Policy & Transformation
2.1	New delegation added	New delegation added	To sign on behalf of the council any claim in any sequestration, liquidation or other such proceedings (excluding those for outstanding local taxes etc) in which it is entitled to make a claim, and to act its behalf in connection with that claim in all respects in accordance with Section 191 of the Local Government (Scotland) Act 1973.	Delegation moved from Standing Order 46(2)
2.2		New delegation added.	To raise, settle, defend, conduct, enter into, withdraw or abandon all forms of legal proceedings on behalf of the Council.	New delegation added on request of Legal.
2.3	3	To institute, defend or appear in any legal proceedings or any inquiry held by or on behalf of any minister or public body under any enactment (including, for the avoidance of doubt, proceedings before any statutory tribunal, board or	To institute, contribute to, defend or appear in, any inquiry held by or on behalf of any minister or public body under any enactment (including, for the avoidance of doubt, proceedings before any statutory tribunal, board or authority).	Minor amendment to wording and the latter part of the delegation has been deleted.

		authority); in an emergency (and with the approval of the Chief Executive) to settle legal actions of all descriptions; and to appoint or consult with Counsel where it is considered expedient to do so for the promotion or protection of the Council's interests provided appropriate allowance is made in the approved estimates of expenditure		
2.4	New delegation added	New delegation added	To engage, instruct, or appoint external legal advisers (including, but not limited to, private firms, counsel and solicitor advocates) and expert witnesses in accordance with approved revenue budget.	New delegation added on request of Legal.
2.5	4	To execute (including, when required, the application of the Seal of the Council), publish or serve on any person or body any notice, direction, order, licence, summons, writ or other document which the Council is required or authorised to execute, publish or serve under the 1973 Act or any other Act or any regulation or order made thereunder,	To execute (including, when required, the application of the Seal of the council), publish or serve on any person or body any notice, direction, order, licence, summons, writ or other document which the council is required or authorised to execute, publish or serve under the Local Government (Scotland) Act 1973 or any other Act or any regulation or order made thereunder, other than where the execution, publication or service of any document has been	Minor amendment made to include full title of Act. Minor amendment made to wording at the end of the delegation.

		other than where the execution, publication or service of any document has been delegated by the Council to another Director;	delegated by the council to the Chief Executive, Depute Chief Executive, another Director or any other Officer of the council.	
2.6	8	to act as Private Prosecutor (Truancy) in terms of Section 56(1) of the Local Government (Scotland) Act 1973 and also in terms of Section 43(2) of the Education (Scotland) Act 1980;	To act as Prosecutor in terms of Section 43(2) of the Education (Scotland) Act 1980.	Amendment to wording to tidy up delegation.
2.7	28	In consultation with the Director of Children, Families and Justice Services to establish and thereafter administer a panel of Curators Ad Litem and Reporting Officers as laid down in the Curators Ad Litem and Reporting Officers (Panels) (Scotland) Regulations 2001 and to consult with the Sheriff Principal and other relevant parties as required;	Following consultation with the Director of Children, Families and Justice Services to establish and thereafter administer a panel of Curators Ad Litem and Reporting Officers as laid down in the Curators Ad Litem and Reporting Officers (Panels) (Scotland) Regulations 2001 and to consult with the Sheriff Principal and other relevant parties as required.	Minor amendment from “in consultation” to “following consultation”.
2.8	New delegation added	New delegation added	to make minor amendments to the Council’s “Policy and Guidelines on the Use of Covert Surveillance and Covert Human Intelligence Sources” and the Council’s “Surveillance through Social Media” in light of future legislative changes, best practice,	Delegation granted by P&R Committee on 25 October 2022 (report no. 345/22).

			Scottish Government Codes of Practice and Guidance from the Investigatory Powers Commissioner's Office	
3.1	10	In conjunction with the Director of Infrastructure and after consultation with the Divisional Commander, Police Scotland, to approve non-controversial processions and to make orders imposing conditions on the holding of such processions under the Civic Government (Scotland) Act 1982;	To approve non-controversial processions and to make orders imposing conditions on the holding of such processions under the Civic Government (Scotland) Act 1982 and to act in accordance with Section 63 following consultation with the Director of Infrastructure, the Chief Constable of Police Scotland and, if applicable, the National Park Authority.	Amendment to wording to reflect statute.
3.2	13	in connection with activities which require to be licensed in terms of the Civic Government (Scotland) Act 1982: (i) to grant or renew licences required subject to standard, mandatory or agreed conditions and subject to no objections or representations being received (and not withdrawn), (ii) to refuse to grant or renew any applications made where the applicant has not provided required documentation (including satisfactory medical	In connection with activities which require to be licensed in terms of the Civic Government (Scotland) Act 1982: (i) to grant or renew licences required subject to standard, mandatory or agreed conditions and subject to no objections or representations being received (and not withdrawn), (ii) to refuse to grant or renew any applications made where the applicant has not provided required documentation (including satisfactory medical evidence as to their fitness to undertake the activity which requires the licence),	Minor amendment to wording in (iv) from "in consultation" to "following consultation". Addition of part (v)

		<p>evidence as to their fitness to undertake the activity which requires the licence),</p> <p>(iii) to determine whether good cause had been shown to deem an application for renewal of a licence under the Civic Government Scotland (Act) 1982 made up to 28 days after the expiry of the licence to be an application made before the expiry;</p> <p>and</p> <p>(iv) in consultation with the Convener and Vice Convener of the Civic Licensing Committee, to order the immediate suspension of a licence in terms of Paragraph 12 of Schedule 1 to the Civic Government (Scotland) Act 1982</p>	<p>(iii)to determine whether good cause had been shown to deem an application for renewal of a licence under the Civic Government Scotland (Act) 1982 made up to 28 days after the expiry of the licence to be an application made before the expiry and</p> <p>(iv)following consultation with the Convener and Vice Convener of the Civic Licensing Committee, to order the immediate suspension of a licence in terms of Paragraph 12 of Schedule 1 to the Civic Government (Scotland) Act 1982</p> <p>(v)to determine whether it is necessary in terms of section 13(4) of the Civic Government (Scotland) Act 1982, to require an applicant for, or a holder of a taxi driver's licence or private hire car driver's licence to submit to medical examination, at their expense, by a medical practitioner nominated by the Director of Legal and Democratic Services.</p>	
3.3	New delegation added	New delegation added	to act as or to designate a suitably qualified officer to act as Clerk to the Angus Licensing Board in terms of the Licensing (Scotland) Act 2005.	New delegation added to comply with legislation.
3.4	15	To grant and renew licences for activities which require to be licensed, registered or for which the	To grant and renew licences for activities which require to be licensed, registered or for which the council's	Amendments made to update regulations.

		<p>Council's consent is required, subject to standard, mandatory or agreed conditions and subject to no objections or representations being received (and not withdrawn) arising from:-</p> <p>(i) the Theatres Act 1968,</p> <p>(ii) the Cinemas Act 1985</p> <p>(iii) the Performing Animals Regulation Act 1925</p> <p>(iv) the Pet Animals Act 1951</p> <p>(v) the Animal Boarding Establishments Act 1963</p> <p>(vi) the Riding Establishments Act 1964</p> <p>(vii) the Breeding of Dogs Act 1973</p> <p>(viii) the Dangerous Wild Animals Act 1976</p> <p>(ix) the Zoo Licensing Act 1981</p> <p>(x) the Breeding of Dogs Act 1991</p> <p>(xi) the Licensing of Animal Dealers Regulations 2009</p> <p>(xii) the Deer (Scotland) Act 1996</p>	<p>consent is required, subject to standard, mandatory or agreed conditions and subject to no objections or representations being received (and not withdrawn) arising from: -</p> <p>(i)the Cinemas Act 1985</p> <p>(ii)the Performing Animals Regulation Act 1925</p> <p>(iii)the Pet Animals Act 1951</p> <p>(iv)the Animal Boarding Establishments Act 1963</p> <p>(v)the Riding Establishments Act 1964</p> <p>(vi)the Breeding of Dogs Act 1973</p> <p>(vii)the Dangerous Wild Animals Act 1976</p> <p>(viii)the Zoo Licensing Act 1981</p> <p>(ix)the Breeding of Dogs Act 1991</p> <p>(x)the Licensing of Animal Dealers Regulations 2009</p> <p>(xi)the Deer (Scotland) Act 1996</p> <p>(xii)the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021</p>	
3.5	16	NO CHANGE		N/A
3.6	25	NO CHANGE		N/A

3.7	6	NO CHANGE		N/A
4.1	5	To sign binding missives on behalf of the Council relating to the purchase or sale of heritable property, and to execute any notice, order, declaration or other document which may be required relative to any compulsory purchase which has been authorised by the Council;	To sign or to authorise the signing by an officer of binding missives and any other documents in accordance the Requirements of Writing (Scotland) Act 1995 on behalf of the council, which has been authorised by the council.	Amendment to wording and addition of reference to relevant legislation.
4.2	New delegation added	New delegation added	To act as the custodian for safe custody of the title deeds of all land and property in the ownership of the council, the Minutes and other records of the proceedings of the council, its committees and sub committees and all other records belonging or relating to the council which are not more appropriately retained by another Chief Officer.	The delegation has been taken from Standing Order 55 and moved here as it is specific to the Dir of L,G&C
4.3	New delegation added	New delegation added	Following consultation with the relevant Director grant or enter into burdens and discharge burdens and securities, minutes of waiver, servitudes and wayleaves in relation to Council owned heritable property.	New delegation added on request of Legal.
4.4	New delegation added	New delegation added	Following consultation with the relevant Director, to assign, sub-let, vary or terminate any lease, sub-lease,	New delegation added on request of Legal.

			occupancy agreement or licence which has been granted or entered into and to serve all requisite notices for assignation, sub-letting, variation or termination.	
4.5	New delegation added	New delegation added.	Following consultation with the relevant Director, to conduct a rent review of a lease, sub-lease, occupancy agreement or licence and to serve all requisite notices for review and to engage in negotiation, arbitration or adjudication, as appropriate.	New delegation added on request of Legal.
4.6	New delegation added	New delegation added	Grant consent in the case of applications for the assignation or sub-lease of subjects, on such terms and conditions, including conditions as to payment or reimbursement of the Council's expenses, as may be appropriate.	New delegation added on request of Legal.
4.7	23	NO CHANGE		N/A
5.1	20	To act as Data Protection Officer and Freedom of Information Officer for the purpose of ensuring that the Council's obligations in terms of the Data Protection Act 1998 and the Freedom of Information (Scotland) Act 2002 respectively are complied with	to appoint a Data Protection Officer and Freedom of Information Officer for the purpose of ensuring that the council's obligations in terms of the Data Protection Act 2018 and the Freedom of Information (Scotland) Act 2002 respectively are complied with; and for the purposes of access to information under Sections 50B, 50C and 50F of the Local	Amendment to delegation to align with new regulations.

			Government (Scotland) Act 1973.	
5.2	19	In conjunction with the Chief Executive, to comply with requests for a review of the Council's actions and decisions in relation to requests for information in terms of the Freedom of Information (Scotland) Act 2002 and take decisions for that purpose.	Following consultation with the Chief Executive, to comply with requests for a review of the Council's actions and decisions in relation to requests for information in terms of the Freedom of Information (Scotland) Act 2002 Environmental Information (Scotland) Regs 2004, and take decisions for that purpose	Minor amendment to wording from "in conjunction with" to "following consultation with". Added reference to Environmental Information (Scotland) Regs 2004 (EIRs).
6.1	New delegation added	New delegation added	To set up, maintain and make available for public inspection the register of interests in accordance with Section 7(1) of the Ethical Standards in Public Life (Scotland) Act 2000	New delegation added to comply with Statutory requirement.
7.1	New delegation added	New delegation added	To register all births, marriages, deaths, still births and civil partnerships and to perform all other functions under the Registration of Births, Deaths and Marriages (Scotland) Act 1965, the Marriage (Scotland) Act 1977, the Civil Partnership Act 2004, the Marriage and Civil Partnership (Scotland) Act 2014 and the Civil Partnership (Scotland) Act 2020.	New delegation added to comply with legislation.
8.1	New delegation added	New delegation added	to monitor the Council's spend on an annual basis in terms of whether the council's procurement strategy is	New delegation added on request of Procurement.

			having an adverse effect on its local and SME supply base	
8.2	New delegation added	New delegation added	To exercise all functions on behalf of Angus Council relating to the operation of the Tayside Procurement Consortium (TPC), including the award of contracts, provided the same is within approved budget expenditure and is in accordance with the Procurement Strategy and any other TPC policy approved for that purpose by the Council	New delegation added on request of Procurement.
9.1	New delegation added	New delegation added	Subject to the provisions of any enhancement, to make all public notices, advertisements and invitations to tender, whether by press advertisement or otherwise, required to be given by or on behalf of the Council or any Committee or department thereof.	Moved from Standing Order 53.
10.1	New delegation added	New delegation added	following consultation with the Director of Finance, to agree minor amendments to the Memorandum, Articles of Association and any other constitutional document of Angus Alive where those amendments do not alter the extent of the Council's control over Angus Alive, and to execute written resolutions or vote at a general meeting Angus Alive on behalf of the	New delegation transfer from Director of Strategic Policy & Transformation

			Council in relation thereto;	
10.2	New delegation added	New delegation added	to act on behalf of the Council on any other matters arising in respect of Angus Alive, including considering changes to opening hours, provided always that such actions do not alter the extent of the Council's control over Angus Alive	New delegation transfer from remit of previous Director of Strategic Policy & Transformation
10.3	New delegation added	New delegation added	To approve quarterly Angus Alive management fee invoices in accordance with approved revenue Budget.	New delegation transfer from Director of Strategic Policy & Transformation
10.4	New delegation added	New delegation added	to monitor the performance of Angus Alive	New delegation transfer from Director of Strategic Policy & Transformation
10.5	New delegation added.	New delegation added.	following consultation with the Director of Finance, to agree any requests for procurement authority from Angus Alive for spend decided by the Angus Alive Board.	To ensure that decisions of the AA Board can be implemented timeously but still with oversight of the 2 Directors mentioned.