



CITY BUILDING (GLASGOW) LLP SCHEME OF DELEGATIONS

ISSUED: May 2021
TO BE REVIEWED: August 2021



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Introduction

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SECTION 1 – GUIDING PRINCIPLES

1.1 Introduction

This document sets out how the LLP has delegated its powers to officers, and also sets out those matters reserved to its Members (as defined below) in accordance with the LLP Agreement. Its purpose is to ensure that the Board and officers are aware of reserved matters, and that there are sufficient properly authorised officers to carry out the LLP's business relating to non-reserved matters lawfully and effectively so that everyone: officers, members and the public, knows who they are.

This Scheme of Delegations sets out details of who is responsible for which functions within the LLP and the extent to which responsibility for these functions has been delegated. Delegation for certain matters over a financial threshold are set out in summary in Schedule 1 of the Scheme. The delegations to the Executive Director, Head of Finance and Governance, the Head of Business Support and the Financial Controller are exercisable also by those Officers stated in Schedule 2 of the Scheme. This document should be read in conjunction with City Building Financial Controls and Procedures Manual and the Standing Orders Relating to Contracts.

Compliance with the Scheme is mandatory, and those parts of the Scheme relating to all matters which have not been reserved may be varied or revoked by the Board at any time and without notice.

1.2 Powers of Delegation

Any exercise of delegated powers shall be subject to:

- Any statutory restrictions;
- The LLP Agreement;
- Financial Controls and Procedures; and
- Standing Orders Relating to Contracts.

1.3 Definitions

"Approved Business Plan" has the same meaning as defined in the LLP Agreement among the Members and City Building (Glasgow) LLP.

"Appointed depute designate" means the relevant member of the Executive team to whom the Executive Director may delegate from time to time.

"Corporate Representatives" means on behalf of the Wheatley Housing Group its Chief Executive, Director of Finance and Director of Housing & Care and on behalf of GCC its Chief Executive, Director of Governance & Solicitor to the Council and Acting Executive Director of Finance.

"Executive Director" means the Executive Director (or, if no persons holds the title of Executive Director at any given time, the most senior officer) of the LLP from time to time.

"Financial Controls and Procedures Manual" means the current financial controls and procedures manual or any revision of such manual as occurs from time to time.

"GCC" means Glasgow City Council, a local authority established under the Local Government etc (Scotland) Act and having its principal offices at City Chambers, George Square, Glasgow, G2 1DU.

"Head of Finance and Governance" means the Head of Finance and Governance (or, if no persons holds that title at any given time, the most senior finance officer) of the LLP from time to time.

"LLP" means City Building (Glasgow) LLP, a limited liability partnership incorporated under the Limited Liability Partnerships Act 2000 with registered number SO300990 and having its registered office at 350 Darnick Street, Glasgow, G21 4BA.

"LLP Agreement" means the Limited Liability Partnership Agreement between Glasgow City Council, the Wheatley Housing Group Limited and the LLP dated 31 March 2017.

"LLP Board" means, at any given time, the board of the LLP as established under the LLP Agreement as at that time.

"LLP Board Members" means the members of the LLP Board from time to time and "LLP Board Member" shall be construed accordingly.

"Members" means Glasgow City Council, a local authority established under the Local Government etc (Scotland) Act and having its principal offices at City Chambers, George Square, Glasgow, G2 1DU and the Wheatley Housing Group Limited, a company incorporated under the Companies Acts with registered number SC426094 and having its registered office at Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL.

"WHG " means Wheatley Housing Group Limited, a company incorporated under the Companies Acts with registered number SC426094 and having its registered office at Wheatley House, 25 Cochrane Street, Glasgow, G1 1HL.

SECTION 2 – Matters Reserved to the Corporate Members (GCC and WHG)

2.1 The following reserved matters require the written consent of the Members:

- Change of name (including approval of any trading style) or registered office of the LLP;
- Admitting a new Member to the LLP;
- Appointment or removal of a person as a Designated Member;
- Appointment of Board Members as per LLP Agreement;
- Appointment or renewal of Chair of the Board as per LLP Agreement;
- Making any change in nature of Business (including any material closure of parts of the business or making material redundancies);
- Any purchase of a capital item by the LLP costing in excess of (a) where it is expressly approved in the Approved Business Plan, 120% of the amount budgeted for that item in the Approved Business Plan for the relevant Financial Year or (b) where not budgeted for in the Approved Business Plan for the relevant Financial Year £100,000, or such other amount as may be agreed by the members from time to time;
- Any borrowing or lending by the LLP, or the giving of any guarantee or undertaking of the LLP;
- Making any disposal or acquisition of any business, or any material part of any business, or shares in any company or any other material assets of any nature;
- Entering into a partnership, joint venture or other profit-sharing arrangement;
- Entering into contracts which are outside the ordinary course of the LLP's Core Business as defined in the LLP Agreement;
- Establishing or participating in any pension scheme other than the Strathclyde Pension Fund;
- Appointing or removing the Executive Director of the LLP;
- Commencing, settling or abandoning any litigation or making any admission of liability involving a dispute in relation to an amount in excess of £150,000 or (in the case of employment law claims, public liability claims, employer's liability claims, motor vehicle claims (own fleet) and claims in relation to hired plant) £50,000;
- Any decision to place the LLP into voluntary liquidation under the Insolvency Act 1986.
- Any decision for the LLP to make a proposal for a voluntary arrangement, scheme of compromise or arrangement with its creditors under the Insolvency Act 1986;
- Any decision for the LLP to apply for an administration order under the Insolvency Act 1986;
- Any decision for the LLP to appoint a liquidator under the Insolvency Act 1986;
- Any decision for the LLP to apply to the court to wind up the LLP under the Insolvency Act 1986;
- Incurring any expenditure or liability (or authorising or permitting any expenditure or liability to be incurred on behalf of the LLP) where such expenditure or liability (or such part of it as relates to the Financial Year in which it is incurred), exceeds: (a) where not budgeted for in the Approved Business Plan for the relevant Financial Year, £250,000; or (b) where budgeted for in the Approved Business Plan for the relevant Financial Year, £250,000 more than the amount budgeted for;

- Any other step which might reasonably be considered to be of fundamental strategic importance in respect of the LLP or amending the LLP's strategic direction or strategy;
- Material changes to the terms and conditions of employment of employees of the LLP (for the avoidance of doubt annual salary increases approved by the LLP Board shall not require the approval of the Members providing the impact of such salary increase is in line with assumptions in the Business Plan);
- Making any changes in the place of Business or opening any new place of Business (and for the avoidance of doubt, if the proposed change in the place of Business relates to the withdrawal of the LLP (wholly or in part) from premises in which either Member holds a leasehold interest, the Member holding the leasehold interest shall be given a reasonable opportunity to conduct and conclude negotiations with the relevant landlord);
- Approving the LLP's Business Plan;
- Approval of the development of the LLP's business other than as set out in the LLP's Business Plan;
- Any organisational restructure;
- Appointment and removal of external auditors;
- Establish a sub-committee of the LLP Board, alter or revoke powers of an existing sub-committee and the membership of a sub-committee;
- Approval of the following LLP policies (such list to be amended from time to time by agreement between the Members):
 - Accounting
 - Reserves
 - Data Handling
 - Such policies relating to finance as the Members agree from time to time
 - Procurement
 - Freedom of Information
 - Recruitment and Selection
- Making any change or refraining from making any change which has the consequences of changing the Pension Contribution Rate; and
- Approve and sign on behalf of the Members any Ordinary or Special Resolutions.

SECTION 3 – Delegations to the LLP Board and Corporate Representatives:

3.1 The following matters are reserved for determination by the Board:

- Managing the business of the LLP in accordance with the Approved Business Plan ;
- Managing the overall supervision and control of the affairs of the LLP;
- Recommendations for approval to the Members of the following policies:
 - o Accounting
 - o Reserves
 - o Data Handling
 - o Such policies relating to finance as the Members agree from time to time
 - o Procurement
 - o Freedom of Information
 - o Recruitment and Selection
- Approval of other strategic and operational policies;
- Prepare the Annual Business Plan in consultation with the Members and for approval by the Members;
- Calling of Chief Executive’s Committee meetings and establishing an appropriate agenda agreed between the Members;
- Setting the overall organizational structure of the LLP (subject to approvals required by Members to approve any organisational restructure);
- Approval of annual income and expenditure estimates;
- Approval of Annual Accounts and Annual Reports for signature by the Members;
- Approval of statutory and regulatory requirements with regard to the financial operations of a Limited Liability Partnership;
- Recommending a mandatory level of capital resources, reserves and liquid assets commensurate with the nature and scale of the business as part of the development of the Annual Business Plan;
- Approving and signing all expenditure relating to the lease of the LLP premises and other long term;
- Ensuring arrangements for the safe keeping and maintenance of property, vehicles and fixtures and fittings;
- Approval of any changes to the Scheme of Delegations
- Approval of the Financial Controls and Procedures Manual;
- Approving a whistleblowing policy and procedures;
- Approving risk and insurance strategies;
- Establishing a register of interests for Board Members;
- Establishing a policy for Board members, management and staff on conflicts of interest;
- Ensuring a register is established for the receipt of gifts and hospitality for Board and staff members;
- Ensuring compliance with any other legislation or regulations affecting the business of the LLP e.g. employment, financial and Health & Safety legislation etc;
- Approving the disciplinary and grievance procedures and the method of distribution to all employees;
- Approval of conditions of service affecting all employees;
- Approving the equal opportunities policies in relation to clients, staff and the Board;
- Ensuring compliance with the equal opportunities policies;

- Approving the remuneration and grading of staff; and
- Approving terms of reference, membership and delegation for any sub Committees of the Board noting that there has to be equal representation from GCC and WHG in accordance with the LLP Agreement.

3.2 Board Members have a personal, individual and collective responsibility for monitoring the LLP's financial controls, procedures and activities. Board Members are responsible for ensuring that adequate management and financial arrangements are in place for developing and taking decisions on the use of the LLP's physical, financial and human resources, and to concern themselves with the performance, development, continuity and overall wellbeing of the organisation. Board Members must apply duties of skill and care at all times.

3.3 The Corporate Representatives are authorised to:

3.3.1 to sign written resolutions, directions, consents, determinations and notices (the "Documents") in respect of the LLP on behalf of WHG and any Documents signed by a WHG Representative shall be binding on WHG and may be relied upon by the LLP and by GCC without further enquiry; and

3.3.2 to act as its representative at any Members' Meeting; the individual so authorised shall be entitled to exercise the same powers on behalf of WHG which he/she represents as WHG could have exercised if it had been an individual member.

SECTION 4 – Delegations to the Executive Director

The Executive Director is authorised to:

- 4.1.1 Give a direction in special circumstances that any officer shall not exercise a delegated function.
- 4.1.2 Give a direction on the applicability of the Scheme of Delegations to an officer in any specific case.
- 4.1.3 Sign missives and other documents binding the organisation.
- 4.1.4 In respect of judicial or quasi-judicial proceedings to: engage private legal firms; engage Counsel; discharge the functions of the organisation including initiating, entering, defending and withdrawing from such proceedings; and appoint parliamentary agents
- 4.1.5 Settle up to a maximum of £150,000 and, where appropriate, after consultation with the appropriate officers and the Head of Finance and Governance, over £50,000: (a) public liability claims; employer's liability claims, motor – own fleet claims; and motor – hired plant claims.
- 4.1.6 In terms of the City Building Standing Orders Relating to Contracts:-
 - (a) in terms of Standing Order 3.5.2 to determine, in conjunction with the Head of Commercial and Compliance, the relevant procedure to be applied in relation to the procurement of a contract
 - (b) In terms of Standing Order 3.6.2 to determine and report upon the decision to apply the accelerated timescale for any tendering procedure
 - (c) In agreement with the Head of Commercial and Compliance, to issue additional procedure rules for E tendering from time to time as permitted in terms of Standing Order 7.2.3 (electronic procurement)
 - (d) In terms of Standing Order 7.3.2.2 with the Head of Commercial and Compliance to decide on whether a late tender submission should be considered due to exceptional circumstances
 - (e) In terms of Standing Order 8.2.2.1 to issue letters of acceptance for contracts of a value more than £181,303 (or the current OJEU value threshold prescribed by the European Commission from time to time) for supplies/services, and for contracts more than £4,551,413 for works and report such awards to the LLP Board;
 - (f) In terms of Standing Order 8.2.2.2 to issue letters of acceptance for contracts of a value more than £181,303 but less than £500,000 (or the current OJEU value threshold prescribed by the European Commission from time to time) for supplies/services, and for works contracts more than £2,000,000 but less than £4,551,413 and report such awards to the LLP Board;
 - (g) In terms of Standing Order 8.2.2.3 to issue letters of acceptance for contracts of a value up to £181,303 (or the current OJEU value threshold prescribed by the European Commission from time to time) for supplies/services, and for contracts up to £2,000,000 for work.
 - (h) In terms of Standing Order 12, in conjunction with the Head of Commercial and Compliance, to enter into any contract for the disposal of surplus or scrap materials.
- 4.1.7 Authorise visits overseas by officers where the visit is in connection with a business meeting or conference in cases where it is considered to be in the best interests of the LLP.
- 4.1.8 Determine appropriate interim responsibility payments to reflect significant additional responsibilities undertaken in respect of major developments and initiatives, subject to regular review by the Head of

People and Development.

- 4.1.9 Instruct the immediate implement of any circular from any officially recognised body which allows no discretion to the LLP. The terms of such circulars shall be reported to the Board.
- 4.1.10 Instruct the immediate implement of any circular from any officially recognised body which allows discretion to the LLP. The terms of such circulars shall be reported to the Board
- 4.1.11 Consider and determine applications for extension of leave from employees who have not completed the necessary period of continuous service in terms of the LLP's Conditions of Service.
- 4.1.12 Approve, in conjunction with the appropriate Head of Service, special leave with or without pay where the period of leave is in excess of the provision of the LLP's Conditions of Service.
- 4.1.13 Review salary placing in appropriate circumstances, within approved salary scales in conformity with accepted practice.
- 4.1.14 Exercise the discretionary powers available in implementation of the Conditions of Service in respect of all the employees in the employment of the LLP.
- 4.1.15 Approve, in conjunction with the LLP Head of Finance and Governance, applications for employees for early retiral and voluntary service.
- 4.1.16 Consult with the LLP Head of Finance and Governance on requests for the application of the discretionary elements contained in the local Government Pension Scheme (Scotland) Regulations 1998. Discretions Policy in place.
- 4.1.17 Deal with and, in appropriate circumstances, approve applications by employees convicted or and fined under the Health and Safety at Work etc. Acts, the Factories Act, the Offices, Shop & Railway Premises Act, the Road Traffic Act or any associated legislation in respect of offences committed whilst acting in the course of their employment for:
(a) payment of the fine imposed; or (b) assistance with the legal expense of their defence subject to the right of the employee aggrieved by a decision of the Head of People and Development to appeal to the Executive Management Team.
- 4.1.18 Arrange for the provision of information concerning the LLP's policies, services and functions in particular: (a) negotiate and place on behalf of the LLP all advertising in consultation with the Head of Business Support; (b) produce a regular LLP publication and other printed publications, including leaflets, posters, guide books, directories and, where appropriate, arrange for the production of photography, film, video and multi-media and the LLP's services; (c) provide information about the LLP on the electronic media including the internet; and (d) issue press statements, press releases, video new releases on behalf of the LLP.
- 4.1.19 Take such measures as may be required in emergency situations, subject to advising the Chair of the Board, where possible, and reporting to the Board as soon as possible thereafter, on any items for which the Board approval would normally be necessary.
- 4.1.20 Absent themselves or to permit any member of staff to absent themselves occasionally and temporarily during business hours to attend to duties or services of a civic, honorary, charitable or social nature provided that these do not interfere with the efficient discharge of their duties to the LLP.
- 4.1.21 Make changes to staffing structure, numbers and gradings in accordance

with approved pay, grading and rewards arrangements. Major restructurings or staffing reviews must, however, be reported to the Members for approval.

- 4.1.22 Make appointments to all posts below those defined as second tier level in the schedule maintained by the Head of People and Development so long as such posts are within the approved establishment of the LLP.
- 4.1.23 Appoint temporary staff as required, based on operational need.
- 4.1.24 Take any decisions necessary regarding employment, retirement, dismissal and training of staff, in terms of the LLP's appropriate Conditions of Service, subject, where appropriate to consultation with the JTUC.
- 4.1.25 Take any necessary decisions or action, or to sign anything necessary in terms of the LLP's Financial Regulations.
- 4.1.26 Pay, after consultation with the Head of Finance and Governance, valid claims for damage to, or loss of, personal property of employees in the LLP occurring during the course of their employment in excess of £400.
- 4.1.27 Settle direct minor damage claims in respect of motor hired in plant to the hired vehicle not involving a third-party injury or damage up to a value of £150.
- 4.1.28 Approve (a) the provision of reasonable hospitality to Board Members, representatives of local authorities, organisations, officers of the LLP or others and also to make visits within the United Kingdom and to authorise officers within the LLP to make visits within the United Kingdom as representatives of the LLP, subject always to details of the expenses incurred in terms of this delegation being made available where requested by the Board and (b) attendance at conferences within the United Kingdom of officers other than those whose attendance has already been authorised by the Board, in case where they consider it to be in the best interests of the LLP.
- 4.1.29 Authorise the provision by the LLP to other persons or organisations of administrative, professional or technical services provided that proper accounts are kept in respect of such agreements and that the Board is notified of them.
- 4.1.30 Approve in consultation with the Members, service fees and charges in order to achieve the level of income approved in the Outline Business Case, subject to reporting any changes to fees or charges to the Board for information.
- 4.1.31 Determine a regime to ensure effective monitoring of non-financial performance against agreed performance measures and to review performance on a regular basis;
- 4.1.32 Prepare the Business Plan for Board and Member approval;
- 4.1.33 Regularly monitor financial information to ensure adherence to the financial criteria approved by the Board;
- 4.1.34 Prepare and submit to the Board an annual report concerning the LLP's activities for the financial year in accordance with a timetable agreed by the Board;
- 4.1.35 Identify risks to which the LLP is subject and to prepare and submit a risk register to the Board; to develop insurance strategies that take account of the identified risks to the organisation; and to implement control actions to mitigate against such risks;
- 4.1.36 Implement all Board instructions and procedures relating to the operation of the LLP;
- 4.1.37 Submit to the Board regular reports advising of the use of all delegated powers;

- 4.1.38 Ensure access to the disciplinary and grievance procedures to all staff and exercise disciplinary and grievance procedures as appropriate, including employee dismissal;
- 4.1.39 Ensure all employment, Data Protection and Health & Safety legislation is adhered to;
- 4.1.40 Implement the equal opportunities policy;
- 4.1.41 Submit regular reports to the Board on the implementation of legislation affecting the business;
- 4.1.42 Secure and maintain property, vehicles and fixtures and fittings;
- 4.1.43 Put arrangements in place to ensure an adequate segregation of duties in order that no one employee has sole responsibility to order and receive goods and services and authorise payment. Where it is not possible to adequately segregate the duties, regular rotation of staff should be considered;
- 4.1.44 Ensure all relevant staff complete the register of interests and are aware of the requirements to disclose and conflicts of interest.
- 4.2 It will be the responsibility of the Executive Director to:
- Keep the Scheme of Delegated Functions up to date for new or amended legislation e.g. Health and Safety etc;
 - Ensure all Board Members and officers have a copy of the latest version of the Scheme; and
 - Publish a copy on the LLP's Internet site.
- 4.3 The powers delegated to the Executive Director can be exercised in their absence by the appropriate Appointed Depute designate. Where the Executive Director so chooses there must be a formally recorded document outlining the roles and responsibilities of the staff concerned.
- 4.4 Each Head of Service will establish and maintain a Scheme of Delegation for their budget area which specifies the function; namely the post which may carry out that delegated decision, and the limits, if any, of the delegation.

SECTION 5 – Delegations to the Head of Finance and Governance

5.1 The Head of Finance and Governance is authorised to:

- Manage the LLP's day to day financial transactions;
- Determine a regime to ensure effective monitoring of financial performance against agreed annual budget and to review performance on a regular basis;
- Prepare and submit to the Board regular monitoring information (financial and non financial) in accordance with the determined regime;
- Create, maintain and ensure staff are provided with a Financial Controls and Procedures Manual;
- Administer the financial affairs of the LLP, and to take any necessary action in terms of the Financial Controls and Procedures Manual, including decision on debt write-off in accordance with recognised accounting policies;
- Consider need to amend budgets for new monies received or subsequent approvals during the year, with all such changes being recorded in the monitoring statements;
- Pay valid claims for damage to, or loss of, personal property of employees in the LLP occurring during the course of their employment, up to an amount of £400 per claim for any one incident included above.
- Provide advice, guidance and assistance to operational functions on all financial matters;
- Undertake corporate accounting and co-ordinate and consolidate the LLP's financial management requirements;
- Develop integrated operational plans, budgets and strategic and business plans in conjunction with Directors and Heads of Service;
- Co-ordinate the budget process and consolidate final budget proposals;
- Compile management accounting and budget monitoring reports, in defined formats on a regular basis;
- Manage the cash flow of the LLP on an ongoing basis;
- Direct and consolidate statutory accounting and produce the Annual Report and Accounts;
- Provide corporate financial services, e.g. capital accounting, operational leasing, option appraisal, VAT. If the Financial Controller does not have the necessary expertise in any of these fields (s)he will be responsible for ensuring the Head of Finance and Governance is aware of this;
- Advise on and implement the financial management and accounting frameworks and systems in terms of relevant legislation, statements of standard accounting practice, standardised reporting etc;
- Undertake research and development on all finance related matters, and participate in and provide advice, guidance and assistance on
- Best Value Reviews and the process of continuous improvement across the LLP;
- Develop and introduce new techniques, processes and systems, where appropriate or required;
- Maintain and develop corporate accounting systems;
- Extend corporate financial management systems across the LLP;
- Account for corporate funds and reserves;
- Provide financial advice and services to management;
- Develop appropriate systems for cost analysis.

- Delegate as required to the financial controller.

5.2 Further information on the roles and responsibilities of the Head of Finance and Governance can be found in the Financial Controls and Procedures Manual.

SECTION 6 – Bank Account Authorised Signatories

6.1 Bank Account Authorised Signatories

6.1.1 The authorised signatories on all of the LLP bank accounts are as follows:

- Alan Burns, Executive Director
- Alison Duffy, Head of Finance and Governance
- Amanda Clarke, Financial Controller
- Lesley Quinn, Head of Business Support

6.1.2 As authorised signatories, they are authorised on behalf of the LLP to:

- Generally deal with and give instructions to the Bank
- Provide to and receive from information from the Bank
- Open, close and amend current and deposit accounts in the name of the LLP
- Sign, issue and stop cheques.

6.2 Cheque Signatories

6.2.1 All manual cheques must be 2 (one of whom must be either the Head of Finance and Governance or Financial Controller) of the 4 main account signatories.

6.2.2 Electronic cheques up to the value of £98,000 must be signed by the Executive Director.

6.2.3 Electronic cheques over the value of £98,000 must be signed by two authorised signatories (namely the Executive Director and the Head of Finance and Governance).

SECTION 7 - Delegations to Health and Safety Sub-committee

The committee shall provide strategic overview of Health, Safety and Environmental matters across the LLP. It shall promote and maintain high standards of health and safety at work promote improvements to the local environment and monitor the effectiveness of the measures taken by the LLP.

The committee shall report its discussions to the Board by maintaining minutes and shall report to the LLP Board at each meeting.

SCHEDULE 1 – Delegation Authorisation Levels for Financial Matters

1. Any purchase of a capital item by the LLP costing in excess of (a) where it is expressly approved in the Approved Business Plan, 120% of the amount budgeted for that item in the Approved Business Plan for the relevant Financial Year or (b) where not budgeted for in the Approved Business Plan for the relevant Financial Year £100,000, or such other amount as may be agreed by the members from time to time;;
2. Commencing, settling or abandoning any litigation or making any admission of liability involving a dispute in relation to an amount in excess of £150,000 or (in the case of employment law claims, public liability claims, employer's liability claims, motor vehicle claims (own fleet) and claims in relation to hired plant) £50,000.
3. Incurring any expenditure or liability (or authorising or permitting any expenditure or liability to be incurred on behalf of the LLP) where such expenditure or liability (or such part of it as relates to the Financial Year in which it is incurred), exceeds: (a) where not budgeted for in the Approved Business Plan for the relevant Financial Year, £250,000; or (b) where budgeted for in the Approved Business Plan for the relevant Financial Year, £250,000 more than the amount budgeted for.

SCHEDULE 2 – List of Officers by whom delegated powers are exercisable: Executive Director

Delegated Function No	Authorised Officer(s)
All in accordance with Clause 4.3	Appointed Depute designate