

Report to the Director of Environment & Housing

Date: 9th May 2016

Subject: Amendments to the Director of Environment & Housing sub-delegation scheme

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: n/a Appendix number: n/a	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. This report sets out proposed amendments to the sub-delegation scheme for the Director of Environment and Housing following amendments to the Leaders Executive arrangements. As a result of these changes the Directors delegation scheme has been updated.
2. The scheme sets out how the Director of Environment and Housing intends to exercise the powers delegated to him in accordance with the constitution.
3. All sub-delegations made by the Director of Environment & Housing within the scheme are sub-delegated to officers of suitable experience, competency and seniority.

Recommendations

The Director of Environment & Housing is asked to approve the amendments to the sub-delegation scheme as set out in this report appendix 1.

1 Purpose of this report

- 1.1 The purpose of this report is to seek changes to the sub delegation scheme following amendments to the Leaders Executive arrangements. As a result of these changes the Directors delegation scheme has been updated.
- 1.2 The scheme sets out how the Director of Environment and Housing intends to exercise the powers delegated to him in accordance with the Constitution.
- 1.3 The scheme details the sub-delegation of those powers by setting out the officers to whom they are delegated and any terms or conditions applied to those sub-delegations. All sub-delegations set out within the scheme are made to officers of suitable experience and seniority.

2 Background information

- 2.1 The Constitution of Leeds City Council sets out the Officer Delegation Scheme in respect of council functions and executive functions. The Officer Delegation Scheme includes the power for officers to delegate further any function which has been delegated to them under the scheme, to another officer or officers of suitable experience, competency and seniority.
- 2.2 Each Director and Chief Officer listed in Article 12 of the Constitution must prepare a sub-delegation scheme which sets out which officers will be given authority to make decisions under the Director or Chief Officer's delegated powers and subject to which terms and conditions. Sub-delegation schemes must be lodged with the Head of Governance Services.
- 2.3 Whilst Directors and Chief Officers may authorise other officers to take delegated decisions, the decision is still the personal responsibility of the Director or Chief Officer.
- 2.4 With effect from 27th May 2010 the making or amendment of a sub-delegation scheme is a Significant Operational Decision and must therefore be recorded on a Delegated Decision Notification, and will be published on the Council's website.

3 Main issues

- 3.1.1 The Director of Environment and Housing has functions delegated to him under the Officer Delegation Scheme (Council (non-executive) functions) and under the Officer Delegation Scheme (Executive Functions).
- 3.1.2 The proposed scheme, attached as Appendix 1 to this report, sets out how the Director of Environment and Housing intends to sub-delegate those functions, including the details of the officers to whom they are sub-delegated and the terms and conditions which apply to those sub-delegations.
- 3.1.2 It is considered that the sub-delegations proposed by the Director of Environment and Housing are all made to officers of suitable experience and seniority.

Corporate Considerations

3.2 Consultation and Engagement

The decision to amend the sub-delegation scheme does not require public consultation or engagement. However the revised scheme will be published on the Council's intranet. Relevant officers named in the sub-delegation scheme will be made aware of the changes.

3.3 Equality and Diversity / Cohesion and Integration

3.3.1 There are no implications for equality and diversity or cohesion and integration arising from the amendments recommended in this report.

3.4 Council policies and City Priorities

3.4.1 Principle 2 of the Code of Corporate Governance (Part 5 of the Constitution) states that the Council will have clear responsibilities and arrangements for accountability. In order to achieve this, the Council needs up to date and have accurate schemes of delegated executive and council responsibilities to Directors and other appropriate officers.

3.4.2 Therefore, updating the attached sub-delegation scheme will contribute towards this principle.

3.5 Resources and value for money

The Director of Environment and Housing has considered the resources available and how to ensure best value for money in determining the sub-delegations to be made under this scheme.

Legal Implications, Access to Information and Call In

3.5.1 In accordance with Part 3 of the Council's Constitution each Director and Chief Officer named in Article 12 has the authority to sub-delegate any of their functions to officers of suitable experience and seniority. However the officer to whom the delegation has been made in the Constitution remains responsible for any decision taken pursuant to such arrangements.

3.5.2 The approval of this sub-delegation scheme will ensure that it is documented and made available for public inspection during normal office hours and that the public has the right to copy or to be provided with a copy of any part of that record.

3.5.3 The decision to approve amendments to this sub-delegation scheme is not eligible for Call-In as it is not a Key or Major decision.

3.5.4 The making or amendment of a sub-delegation scheme will be treated as a Significant Operational Decision and will therefore be recorded on a Delegated Decision Notification, and will be published on the Council's website.

3.5.5 In addition the Head of Governance Services maintains a library of sub-delegation schemes, showing all previous versions of each Director's schemes made in the current Municipal Year.

3.6 Risk Management

3.6.1 Ensuring that the Director of Environment and Housing's scheme is kept up to date reduces the risk of decisions being taken without the correct authority.

4 Conclusions

4.1 In accordance with Part 3 of the Council's Constitution each Director named in Article 12 has the authority to sub-delegate any of their functions to officers of suitable experience and seniority. However the officer to whom the delegation has been made in the Constitution remains responsible for any decision taken pursuant to such arrangements.

4.2 The approval of this sub-delegation scheme will ensure that it is documented and transparent.

5 Recommendations

5.1 The Director of Environment and Housing is asked to approve the sub-delegation scheme set out as Appendix 1 to this report.

6 Background documents

5.1 None.