

Report of City Solicitor

Report to Full Council

Date: 14th September 2016

Subject: Amendments to Executive Arrangements

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: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. At the Annual Meeting of Council on 19th May 2016, the Leader presented details of her Executive Arrangements to Council.
2. Amendments have been made by the Leader to those arrangements to provide greater clarity around the Portfolio for Environment and Sustainability, and to rectify an erroneous removal of an authorisation for the City Solicitor in relation to indemnities.

Recommendations

3. Council is asked to note the amendments made to the following documents, as shown in the relevant appendix:-
 - 3.1. Executive Members: Oversight of Officer Executive Delegations (Appendix A)
 - 3.2. Officer Delegation Scheme (Executive Functions) – Director of Environment and Housing (Appendix B)
 - 3.3. Officer Delegation Scheme (Executive Functions) – City Solicitor (Appendix C)

1 Purpose of this report

- 1.1 This report sets out amendments made to the Leader's executive arrangements to ensure that they remain up to date and fit for purpose.

2 Background information

- 2.1 At the Annual Meeting of Council on 19th May 2016 the Leader presented her executive arrangements for the 2016/17 municipal year.

- 2.2 Rule 1.3 of the Executive and Decision Making Procedure Rules provides that

“The Leader may amend the scheme of delegation relating to executive functions at any time during the year... The amendments will take effect upon publication of the decision notice unless otherwise stated thereon. The Leader will present a report to the next ordinary meeting of the Council setting out the changes made by the Leader.”

- 2.3 The Leader made these amendments on 4th August 2016 and, in accordance with the Executive and Decision Making Procedure Rule provisions detailed above, are now reported by way of this report to Full Council

3 Main issues

Environment and Sustainability

- 3.1 The Leader created a new portfolio for Environment and Sustainability in the 2016/17 municipal year. In order to provide clarity to the remit of the portfolio amendments have been made to the Executive Members Oversight of Officer Executive Delegations (Appendix A) and the Officer Delegation Scheme (Executive Functions) Director of Environment and Housing (Appendix B).

Indemnities

- 3.3 A review of the Constitution in 2014 prompted the reduction of detailed general delegations to officers in relation to financial and procurement functions. It has become clear that the City Solicitor's authority to issue indemnities to Directors in relation to their provision of certificates under the Local Government (Contracts) Act 1997 or their activities as a director of the LEP or LIFTco. In order to make good this erroneous deletion of the function the Leader has agreed amendments to the Officer Delegation Scheme (Executive Functions) City Solicitor (Appendix C).

4 Corporate considerations

4.1 Consultation and engagement

- 4.1.1 The amendment to the Oversight of Officer Executive Decisions was discussed with the Deputy Leader and Executive Member for Environment and Sustainability.

4.1.2 The Director of Environment and Housing was consulted on the amendment to his delegation scheme.

4.1.3 The City Solicitor was consulted on the amendment to her delegation scheme.

4.2 Equality and diversity / cohesion and integration

4.2.1 There are no implications for this report.

4.3 Council policies and best council plan

4.3.1 Publication of the Executive Arrangements within the constitution is in line with the Council's values particularly in relation to being "open, honest and trusted".

4.4 Resources and value for money

4.4.1 There are no implications for this report.

4.5 Legal Implications, access to information and call In

4.5.1 This report communicates a decision of the Leader in relation to executive arrangements in accordance with the requirements of the Constitution.

4.6 Risk management

4.6.1 There are no implications for this report.

5 Conclusions

5.1 The amendments ensure clarity and accuracy within the executive arrangements and ensure the arrangements remain fit for purpose.

6 Recommendations

6.1 Council is requested to note the amendments made by the Leader to the following documents, as shown in the relevant appendix, with immediate effect:-

6.1.2 Executive Members: Oversight of Officer Executive Delegations (Appendix A)

6.1.3 Officer Delegation Scheme (Executive Functions) – Director of Environment and Housing (Appendix B)

6.1.4 Officer Delegation Scheme (Executive Functions) – City Solicitor (Appendix C)

7 Background documents¹

7.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.