

Report of the Director of Resources

Report to Full Council

Date: 16th November 2011

Subject: Amendments to the Officer 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 notifies full Council of amendments to the officer delegation scheme (executive functions) and Executive Member portfolios approved by the Leader, which were made effective from 23rd September 2011.
2. The amendments were in relation to:
 - the Director of Resources officer delegation scheme (executive functions);
 - the Director of City Development's officer delegation scheme (executive functions);
 - the Chief Environmental Services Officer's officer delegation scheme (executive functions); and
 - the Executive Member portfolios.
3. In addition, in accordance with Article 15.2 the Monitoring Officer has approved consequential amendments to the Constitution, arising from the above changes.

Recommendations

4. The Council is asked to note the changes to the officer delegation scheme (executive functions) and the Executive Member portfolios and other consequential amendments to the Constitution, set out in this report.

1 Purpose of this report

- 1.1 This report notifies full Council of amendments to the officer delegation scheme (executive functions) and Executive Member portfolios approved by the Leader, which were made effective from 23rd September 2011.
- 1.2 The Director of Resources is required to report any changes to the scheme of delegation relating to executive functions made by the Leader to the next ordinary meeting of the Council, in accordance with Executive Procedure Rule 1.4(b).

2 Background information

- 2.1 Under Executive Procedure Rule 1.4(b), the Leader may amend the scheme of delegation relating to executive functions at any time during the year by giving notice to the Director of Resources and to the person, body or committee concerned.
- 2.2 The Director of Resources must then present a report to the next ordinary meeting of full Council, setting out the changes made by the Leader.

3 Main issues

- 3.1 With effect from 23rd September 2011, the Leader amended the officer delegation scheme (executive functions) as outlined below.

Director of Resources Officer Delegation Scheme (Executive Functions) and Director of City Development Officer Delegation Scheme (Executive Functions)

- 3.2 Paragraph (k) of the Director of Resources delegation has been amended to reflect the transfer of Corporate Property Management functions to the Director of City Development under the umbrella of paragraph (j) 'Asset Management'. Appropriate footnotes have been placed in the schemes of both Directors to ensure clarity in relation to the extent of each function.
- 3.3 The amended delegations are attached as Appendix 1 and 2.

Chief Environmental Services Officer – Removal of Certain Concurrent Delegations

- 3.4 Certain concurrent delegations to the Chief Environmental Services Officer have been removed from the officer delegation scheme (executive functions). This amendment reflected changes in the allocation of responsibilities to Chief Officers within Environment and Neighbourhoods following a departmental restructure. These particular functions are no longer the responsibility of the Chief Environmental Services Officer and therefore they will be sub-delegated to the appropriate officers by the Director of Environment and Neighbourhoods.
- 3.5 The amended delegation is attached as Appendix 3.

Executive Member Portfolios

- 3.6 The Executive Member Portfolios (Section 3B(a) of Part 3 of the Constitution) which detail the decision making overview of each Executive Member have been revised.

These changes are to the formatting of the document only and do not change the Executive Members' scope of responsibilities.

3.7 The amended document is attached at Appendix 4.

Consequential Amendments

3.8 By virtue of Article 15.2 of the Constitution, the City Solicitor has delegated authority to approve consequential amendments to the Constitution, as a result of legislative change or to implement decisions of the Council or the Executive, or for the purposes of clarification only. Consequential amendments were needed in relation to:

- Article 12 of the Constitution (which sets out the functions and areas of responsibility for Directors); and
- Chief Environmental Services Officer - Officer Delegation Scheme (Council (non – executive)) functions (to reflect that the Chief Environmental Services Officer no longer carries out the function 'to license the use of movable dwellings and campsites').

4 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 The consequential changes made to the Constitution are made to ensure the smooth running of Council business and for clarification, therefore no detailed consultation has been undertaken on these amendments.

4.1.2 The amendments to the officer delegation scheme (executive functions) have been discussed between the relevant Directors and departments before being approved by the Leader.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no issues in relation to equality and diversity or cohesion and integration arising from this report.

4.3 Council Policies and City Priorities

4.3.1 Principle 2 of the Code of Corporate Governance (Part 5 (k) 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 accurate schemes of delegated executive and council responsibilities to Directors and other appropriate officers

4.3.2 Therefore, approving the amendments to the attached documents will contribute towards this principle.

4.4 Resources and Value for Money

4.4.1 The proposed amendment has no financial implications.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 In accordance with the Executive Procedure Rule 1.4(b) the Leader has the authority to make changes to the delegation scheme in relation to executive functions within the Constitution at any time.
- 4.5.2 Furthermore, the Monitoring Officer has authority under Article 15.2 to make consequential amendments to the Constitution for the purposes of clarification.
- 4.5.3 There are no issues in relation to Access to Information as no parts of this report have been identified as confidential or exempt.

4.6 Risk Management

- 4.6.1 If the Constitution is not amended there is a risk that the Constitution will become out of date and that it will not reflect the changes made to the delegation scheme in relation to executive functions.

5 Conclusions

- 5.1 Amendments have been made by the Leader to the executive arrangements, in accordance with the Executive Procedure Rules. The Monitoring Officer under his delegated authority has made other necessary consequential amendments to the Constitution.

6 Recommendations

- 6.1 The Council is asked to note the changes to the officer delegation scheme (executive functions) and the Executive Member portfolios and other consequential amendments to the Constitution, set out in this report.

7 Background documents

- 7.1 Letter signed by the Leader of Council on 23rd September 2011.
- 7.2 Delegated decision notice signed by the Head of Governance Services on 28th September 2011.