

BROMSGROVE DISTRICT COUNCIL

COUNCIL

24 JUNE 2009

REVISION TO THE SCHEME OF DELEGATION

Responsible Portfolio Holder	Councillor Geoff Denaro
Responsible Head of Service	Claire Felton

1. SUMMARY

- 1.1 This report seeks Members' approval to a minor change to the Scheme of Delegation to reflect organisational changes.

2. RECOMMENDATION

- 2.1 That the Scheme of Delegation be revised to authorise the Head of Streetscene and Community to authorise prosecutions for, or issue cautions in respect of, environmental and waste crimes under the Environmental Protection Act 1990, the Clean neighbourhood & Environment Act 2005, the Waste (Household Waste Duty of Care) (England and Wales) Regulations 2005 and the Control of Pollution (Amendment) Act 1989.

3. BACKGROUND

- 3.1 In March 2008 the Council agreed to organisational changes whereby certain environmental and waste functions were transferred from Environmental Health Services to Streetscene and Community. The Scheme of Delegation requires amendment to transfer the corresponding delegation to authorise prosecutions and to issue cautions in respect of those functions from the Head of Planning & Environmental Services to the Head of Streetscene and Community.

4. FINANCIAL IMPLICATIONS

- 4.1 None

5. LEGAL IMPLICATIONS

- 5.1 None

6. COUNCIL OBJECTIVES

- 6.1 N/a

7. RISK MANAGEMENT

7.1 The main risk associated with the details included in this report is:

- *Decisions taken outside the Scheme of Delegation would expose the Council to a risk of challenge.*

7.2 This risk is being managed as follows:

- Risk Register: *Legal, Equalities and Democratic Services*
Key Objective Ref No: 3
Key Objective: *Effective ethical governance*

8. CUSTOMER IMPLICATIONS

8.1 None

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 None

10. VALUE FOR MONEY IMPLICATIONS

10.1 None

11. OTHER IMPLICATIONS

Procurement Issues	None
Personnel Implications	None
Governance/Performance Management	None
Community Safety including Section 17 of Crime and Disorder Act 1998	None
Policy	None
Environmental	None

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director - Partnerships and Projects	<u>No</u>

Executive Director - Services	<u>No</u>
Assistant Chief Executive	<u>No</u>
Head of Service	<u>Yes</u>
Head of Financial Services	<u>No</u>
Head of Legal, Equalities & Democratic Services	<u>Yes</u>
Head of Organisational Development & HR	<u>No</u>
Corporate Procurement Team	<u>No</u>

13. WARDS AFFECTED

All wards

14. APPENDICES

None

15. BACKGROUND PAPERS

None

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