

BROMSGROVE DISTRICT COUNCIL

COUNCIL

12th May 2010

SCHEME OF DELEGATIONS

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

1. SUMMARY

- 1.1 The purpose of this report is to seek the agreement of Members to the current version of the Scheme of Delegations.

2. RECOMMENDATION

Members are asked to approve the following recommendations:-

- 2.1 That the current version of the Scheme of Delegations as attached at Appendix 1 insofar as it relates to functions delegated by the Council be agreed by Members.

3. BACKGROUND

- 3.1 The Scheme of Delegations is the part of the Constitution that gives authority for certain decisions to be delegated from the relevant parent committee or other member body with decision making-powers to certain specified officers. It sets out:-

- the functions delegated by the Council to officers;
- the functions delegated by Committees to officers; and
- the functions delegated by Cabinet to officers.

- 3.2 The Scheme of Delegations is regularly altered and updated to reflect changes in the operation of the Council and changes to legislation. From time to time Members are requested to consider alterations to the Scheme of Delegation and to approve it.

4. KEY ISSUES

- 4.1 Members were last asked to agree the Scheme of Delegations at the Full Council meeting on 18 November 2009. Since that meeting there have been a number of more recent changes to the Scheme of Delegations. The current version is attached at Appendix 1. Accordingly Members are asked to agree the current version insofar as it relates to functions delegated by the full Council.

4.2 Members will note that the Scheme of Delegation still aligns to the service areas which pre-date the implementation of the new senior management arrangements. Officers are working on aligning the Scheme of Delegation to the new arrangements and this will be brought before Members later in the year.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising out of this report.

6. LEGAL IMPLICATIONS

6.1 The Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through officers (s101). Local authorities are required by s100G of the Local Government Act 1972 (as amended) to maintain a list (ie the Scheme of Delegation) specifying those powers of the Council which for the time being, are exercisable from time to time by officers of the Council.

6.2 The Local Government Act 2000 (as amended) gives a general power to local authority executives (ie the Cabinet) to make provision for the allocation of any executive functions by officers of the authority.

7. POLICY IMPLICATIONS

7.1 Members are not being asked to approve a new policy but simply to re-affirm an existing part of the Constitution.

8. COUNCIL OBJECTIVES

8.1 Not applicable

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 There are no significant risks arising from this report have been identified, but any minor risks arising are being managed as follows:

Risk Register: Legal, Equalities and Democratic Services

Key Objective Ref No: 2

Key Objective: Effective ethical governance

9.2 There are no health and safety implications.

10. CUSTOMER IMPLICATIONS

10.1 The revised Scheme of Delegation will be distributed to Members and will be displayed on the Council's website.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 None

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 None

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None

14. HUMAN RESOURCES IMPLICATIONS

14.1 None

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 None

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None

18. LESSONS LEARNT

18.1 Not applicable

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 Not applicable

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	Yes
Executive Director – Leisure, Cultural, Environmental and Community Services	No

Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

21. WARDS AFFECTED

All wards

22. APPENDICES

Appendix 1 Current version of the Scheme of Delegations.

23. BACKGROUND PAPERS

None.

24. KEY

Non Applicable

AUTHOR OF REPORT

Name: Sarah Sellers
E Mail: s.sellers@bromsgrove.gov.uk
Tel: (01527) 881397