

11 REVISIONS TO OFFICER DELEGATION SCHEME (A.113/EWJ)

Proposal

1. This report request approval for revisions to the current scheme of delegation to officers and to delegate the exercise of powers to the Chief Executive with provisions for further delegation through an Officers Delegation Scheme.


2. RECOMMENDATION:

1. **That with effect from the 1st August 2008 the Chief Executive be delegated the power to exercise the functions of the Authority in the amended delegation scheme as set out in Annex 1 to the report “Delegation of Powers to the Chief Executive”.**
2. **That the Chief Executive agrees delegation of the exercise of those powers to officers under an “Officers Delegation Scheme”.**

Policy/Legal Background

3. The Authority has power under the Local Government Act 1972 to delegate the exercise of its powers and functions to officers.
4. The current Officers Delegation Scheme has periodically been revised to reflect changes in the functions of the Authority and also to improve the Authority’s decision making process.
5. A review of the current scheme has been carried with particular reference to the business handled by the Services Committee and the Planning Committee.
6. In the past when agreeing the delegation scheme the Authority has also approved the exercise of powers by individually identified officers e.g. Chief Executive, Directors, or Heads of Service. This approach has caused some difficulties where there have been structural changes and changes in job titles.
7. A more efficient way, which is adopted by many local authorities, is to delegate all the powers to the Chief Executive as the Head of Paid Service. The Chief Executive can then agree a separate scheme of delegation to officers so that the powers delegated to him by the Authority are exercised on a daily basis by the most appropriate officer with any necessary internal constraints. This scheme can then be revised by the Chief Executive in the future as operational circumstances change without further consideration by an Authority Meeting.

Key Issues

8. The revised Scheme is attached as Annex 1 which is set out as follows:
 - a) The left hand column shows the current level of delegation that has already been agreed by the Authority.
 - b) Sections where changes are proposed are marked 
 - c) The proposed amendments and additions for which approval is requested are shown in the right hand column.

d) The Officers Delegation Scheme agreed by the Chief Executive will clearly identify the specific officers and deputies authorised to exercise the delegated powers.

9. In exercising delegated powers officers have to have regard to the Authority's approved policies, plans and programmes, budget allocation and also ensure compliance with other internal audit, financial and legal practices and procedures

APPENDIX

Background

- 1 See main report

Resources

- 2 There are no direct financial implications to consider.

Risk Management

- 3 The delegation scheme is an important document in the Corporate Governance framework. It contributes to the efficient operation of the Authority by authorising officers to carry out some area of the work of the Authority within defined limits without the need for further approval by the Authority or a committee meeting. The scheme is supported by financial regulations, contracting procedures and other Authority approved policies and procedures. Officers have clearly defined parameters to work within which mitigates the risk of the legal validity of delegated decisions being successfully challenged.

Human Rights, Equalities, Health & Safety

- 4 There are no apparent issues to consider.

Consultees

- 5 Revisions to the delegation scheme have been drawn up in consultation with the Management Team, Chief Finance Officer and Heads of Service. Informal consultation has been held with some of the Chairs and Vice Chairs.

Enclosures

- 6 Annex1 "Delegation of Powers to the Chief Executive".

List of Background Papers (not previously published)

- 7 None

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- 9 19 June 2008