

# Scheme of Delegations to Officers

Report of the Head of Legal and Democratic Services

## Recommended:

**That the Scheme of Officer Delegations, as set out in the Annex to this report, in so far as it applies to the powers and duties of the Cabinet, be approved.**

### SUMMARY:

The purpose of the report is to seek approval of the Council's Scheme of Officer Delegations in so far as it relates to Cabinet functions.

## 1 Background

- 1.1 The Scheme of Delegations is approved each year in accordance with the Constitution by Annual Council. Regular updated approval of the Scheme of Delegations ensures the Council's decision-making is as robust as possible and operates as effectively as possible in accordance with legal requirements. Council Procedure Rules require that the annual meeting will approve the Scheme of Officer delegations at Part 3 of the Constitution.

## 2 Corporate Objectives and Priorities

- 2.1 As set out in Article 14 of the Constitution the Monitoring Officer has a duty to monitor and review the operation of the Constitution and ensure that the aims and principles of the Constitution are effective.
- 2.2 Maintaining and updating the Constitution to reflect current legislation and practice is essential in order to deliver effective and lawful decisions in the day-to-day operation of the Council and implementation of the Corporate Plan.

## 3 Resource Implications

- 3.1 No resource implications arise as a result of this report.

## 4 Issues

- 4.1 During the course of the year since Annual Council 2022 changes have been made to the Scheme of Officer Delegations as the need arose over time. These changes have all been approved by Full Council. There were no further amendments to present to Annual Council 2023 for consideration.

## 5 Risk Management

- 5.1 A Risk Management questionnaire has been completed and indicates this report does not require a risk assessment because the changes/issues covered by this report are not significant in terms of risk or have previously been considered.

## **6 Resource Implications**

6.1 No resource implications arise as a result of this report.

## **7 Legal Implications**

7.1 Section 37 of the Local Government Act 2000 requires the Council to keep its Constitution under review. The Constitution at paragraph 1.1(h) of Part 4 requires that the Scheme of Officer Delegations is approved by Council at its Annual Meeting. Certain officer delegations relate to Executive functions and therefore Cabinet approval of the Scheme is also sought.

## **8 Equality Issues**

8.1 No equality issues arise as a result of this report. Equality issues are considered and reported as appropriate when changes to the Scheme of Delegation are proposed to Council for consideration.

## **9 Other Issues**

9.1 Community Safety - none

9.2 Environmental Health Issues - none

9.3 Sustainability and Addressing a Changing Climate - none

9.4 Property Issues - none

9.5 Wards/Communities Affected - none

## **10 Conclusion and reasons for recommendation**

10.1 In order to ensure the Council's Scheme of Officer Delegations reflects current legislation and practice and remains up to date it is recommended that Scheme of Delegations as set out in the Annex to the report be approved.

<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
None			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	1	File Ref:	N/A
(Portfolio: Democracy and Governance) Councillor N Lodge			
Officer:	Karen Dunn	Ext:	8401
Report to:	Cabinet	Date:	7 June 2023