

# Scheme of Delegations

Report of the Head of Legal and Democratic Services (Portfolio: Democracy and Governance)

## Recommended:

1. That the Scheme of Officers Delegations as set out in the Annex to the report be approved.
2. That the Scheme set out in the Annex to the report be incorporated into the Constitution.

## SUMMARY:

- The purpose of the report is to approve the Council's Scheme of Officer Delegations to ensure the Council's Constitution remains up-to-date reflecting current legislation and practice.

## 1 Introduction

- 1.1 The Scheme of Delegations is approved each year by Annual Council in accordance with the Council's Constitution..

## 2 Background

- 2.1 During the course of the year since the last Annual Council changes have occurred to the Scheme of Delegations and as the need has arisen over time. These changes have been approved by Full Council and incorporated into the Scheme in the Annex to this report There are no further amendments to present to Council for consideration at this time.

## 3 Corporate Objectives and Priorities

- 3.1 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.
- 3.2 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.

## 4 Options

- 4.1 Option 1, this is the recommended option. To approve the Council's Scheme of Officer Delegations

4.2 Option 2. Not to approve the Council's Scheme of Officer Delegations

## **5 Option Appraisal**

5.1 Option 1 is the recommended option and results in the Constitution continuing to be up-to-date and ensures it remains effective.

5.2 Option 2 is not recommended. The Scheme of Delegations as attached in the Annex is the current form of the Scheme as amended and approved as required over the course of the last year. Failure to approve the annexed Scheme and/or adoption of some other provisions would be to risk the Scheme failing to comply with legislative or the Council's own requirements.

## **6 Risk Management**

6.1 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.

## **7 Resource Implications**

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

## **8 Legal Implications**

8.1 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.

## **9 Equality Issues**

9.1 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.

## **10 Other Issues**

10.1 Community Safety – none

10.2 Environmental Health Issues – none

10.3 Sustainability and Addressing a Changing Climate – none

10.4 Property Issues – none

10.5 Wards/Communities Affected – none

## 11 Conclusion and reasons for recommendation

- 11.1 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)			
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