

Council Urgency Committee		
Report Title	Council Scheme of Delegation	
Key Decision		Item No. 4
Ward	All	
Contributors	Head of Law	
Class	Part 1	Date: 20 October 2011

1. Summary

This report asks the Council Urgency Committee to make amendments to the Council Scheme of Delegation on a temporary basis until the full Council can consider the matter. This amendment is due to the fact that the reduction in the number of Council Directorates from 5 to 4 takes effect from 24th October this year and consequently the transfer of functions from the Regeneration Directorate needs to be reflected in the Council's Scheme of Delegation. Appropriate amendments are suggested.

2. Purpose

The purpose of this report is to ensure that the Council has robust decision making processes, with an effective Scheme of Delegation in place

3. Recommendations

That the Council approve the delegation of non-executive functions set out in the Schedule appearing at Appendix A until such time as the full Council considers it afresh.

4. Background

4.1 Under the Local Government Act 2000 and regulations made under it, certain Council functions (non-executive functions) are the responsibility of the Council to make or delegate, and certain functions (executive functions) fall to the Mayor to exercise. Broadly, subject to matters reserved to full Council, decisions are for the Mayor to make provided they are not specifically prohibited to him.

4.2 Certain matters are excluded from the Mayor's responsibility, mainly development control, highways, licensing, elections, standards, health and safety and appointments. These decisions have to be made by

the Council or in accordance with a scheme of delegation to committees and/or officers.

- 4.3 The attached schedule contains amendments which reflect the fact that the functions from Regeneration pass to the Resources directorate, with the exception of parking and passenger transport which pass to Customer Services.
- 4.4 One further amendment is proposed. It is that consideration of all development control decisions relating to public houses and unoccupied buildings which were previously public houses should be reserved to members and not delegated to officers.
- 4.5 Where matters are the responsibility of the Mayor to delegate, he may amend his scheme of delegation at any time, provided that he reports his amendments to the next meeting of the Council. His changes are effective from the date that all members of the Council are informed in writing of the change. The Mayor has already agreed to the amendments in Appendix A in so far as they relate to executive functions, and notice will be given to all members of the Council prior to 24th October.

5. Legal implications

It is a requirement that the Council and Mayoral Scheme of Delegation be appended to the Council's constitution, and an effective scheme of delegation is necessary for the proper corporate governance of the Council.

6. Financial implications

There are none

7. Equalities implications

There are none.

8. Environmental implications

There are none

9. Crime and Disorder implications

There are none.

Background Papers
None reported

If there are any queries on this report please contact the Head of Law tel 0208 3147648