

# COUNCIL

## EXECUTIVE ARRANGEMENTS AND SCHEME OF DELEGATION TO OFFICERS

26th May 2015

### Report of the Monitoring Officer

#### PURPOSE OF REPORT

To report to Council on executive arrangements and the delegation of executive and other functions.

**This report is public**

#### RECOMMENDATIONS

- (1) That the report be noted and the current Scheme of Delegation to Officers be confirmed.

#### 1.0 Introduction

- 1.1 Rule 1.2 of the Cabinet Procedure Rules provides as follows:

“Delegation by the Leader

- (a) At the annual meeting of the Council, the Leader will present to the Council the names of the people appointed to the Cabinet by the Leader (including the name of the Deputy Leader), and their portfolios.

- (b) At the annual meeting of the Council or as soon as practicable thereafter, the Leader will present to the Council a written record of :

- (i) The detailed remits of the portfolios of the Cabinet Members.
- (ii) Any delegations made by the Leader in respect of the discharge of the Council's executive functions. The document presented by the Leader will contain the following information about Executive functions in relation to the coming year:
- The extent of authority of the Cabinet as a whole
  - The extent of any authority delegated to Cabinet Members individually, including details of the limitation on their authority;
  - the terms of reference and constitution of such Cabinet committees as the Leader appoints and the names of Cabinet Members appointed to them;

- the nature and extent of any delegation of Executive functions to area committees, any other authority or any joint arrangements and the names of those Cabinet Members appointed to any joint committee for the coming year; and
- the nature and extent of any delegation to officers with details of any limitation on that delegation, and the title of the officer to whom the delegation is made.

and these shall then be included in the Council’s Constitution.”

## **2.0 Proposal Details**

- 2.1 The election of the Leader of the Council will take place at this meeting. If, on election, the Leader is able to present to Council the names of the members appointed to Cabinet and their respective portfolios, this will be done. However, it would be open to the newly elected Leader, in accordance with Cabinet Procedure Rule 1.2 to present the information set out above to Council at a subsequent meeting.
- 2.2 In accordance with the Council’s current Constitution (Article 7.09), Cabinet members will have delegated authority to take non-key decisions within their portfolio areas. Key decisions will be taken by Cabinet collectively.
- 2.3 The current Scheme of Delegation to Officers is set out at Part 3 Section 14 of the Constitution, and includes the delegation of both executive and non-executive functions. Whilst it will be open to the Leader to review in due course the delegation of executive functions, Council is requested at this meeting to confirm the current Scheme of Delegation as appended to this report.

## **3.0 Conclusion**

- 3.1 This report will enable the newly elected Leader to report on executive arrangements and delegations, and requests Council to confirm the current scheme of delegations to officers.

<p><b>CONCLUSION OF IMPACT ASSESSMENT</b>  <b>(including Health &amp; Safety, Equality &amp; Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)</b></p>
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<p>None directly arising from this report.</p>
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<p><b>LEGAL IMPLICATIONS</b></p>
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<p>The report complies with the requirements of the Constitution and ensures continuity of the current scheme of delegation.</p>
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<p><b>FINANCIAL IMPLICATIONS</b></p>
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<p>None arising from this report.</p>
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**OTHER RESOURCE IMPLICATIONS****Human Resources:**

None

**Information Services:**

None

**Property:**

None

**Open Spaces:**

None]

**SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

**MONITORING OFFICER'S COMMENTS**

The report has been prepared by the Monitoring Officer

**BACKGROUND PAPERS**

None

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