

COUNCIL

EXECUTIVE ARRANGEMENTS AND SCHEME OF DELEGATION TO OFFICERS 20 MAY 2019

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 confirmed.

1.0 Introduction

1.1 Rule 2 of the Cabinet Procedure Rules provides as follows:

Rule 2 - 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, and these shall then be included in the Council's Constitution:

- 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 or Cabinet 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 or outside body for the coming year; and
- the nature and extent of any delegation to Officers with details of any limitation on that delegation, and the post title of the Officer to whom the delegation is made.

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 2 to present the information set out above to Council at a subsequent meeting.
- 2.2 In accordance with the Council's current Constitution (Part 2, Section 4, Para. 8), Cabinet Members will have the responsibilities as determined by the Leader from time to time. Individual Cabinet members shall have delegated authority to take Key Decisions within their portfolio, in accordance with the Cabinet Procedure Rules set out in Part 3 - Section 2 of the Constitution.
- 2.3 The current Scheme of Delegation to Officers is set out at Part 2 Section 7 of the Constitution, and includes the delegation of both executive and nonexecutive 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>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Human Resources, Sustainability and Rural Proofing)</p>
--

<p>None directly arising from this report.</p>
--

<p>LEGAL IMPLICATIONS</p>

<p>The report complies with the requirements of the Constitution and ensures continuity of the current scheme of delegation.</p>
--

<p>FINANCIAL IMPLICATIONS</p>

<p>There are no financial implications stemming from this report.</p>

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:

There are no resources implications.

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

Contact Officer: Rephael Walmsley

Telephone: 01524 582021

E-mail: rwalmsley@lancaster.gov.uk