

PART 1 - PUBLIC

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**Decision Maker:** Council

**Date:** 19<sup>th</sup> May 2010

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** SCHEME OF DELEGATION TO OFFICERS

**Contact Officer:** Graham Walton, Democratic Services Manager  
Tel: 020 8461 7743 E-mail: graham.walton@bromley.gov.uk

**Chief Officer:** Mark Bowen, Director of Legal, Democratic and Customer Services

**Ward:** N/A

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1. Reason for report

1.1 At the Annual Council meeting each year a Scheme of Delegation to Officers is approved. The Scheme has been amended to meet the requirements of the Local Government and Public Involvement in Health Act 2007, principally by clarifying whether powers are delegated by the Council, by the Leader in the case of executive powers, or both. Various other updates have been made to the Scheme – these are set out in the report.

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2. **RECOMMENDATION(S)**

2.1 That the Scheme of Delegation to Officers in respect of executive functions be received from the Leader of the Council.

2.2 That the Scheme of Delegation to Officers in respect of non-executive functions be approved.

### Corporate Policy

1. Policy Status: Existing policy. The Council approves a Scheme of Delegation to Officers each year at the annual meeting. Executive powers now need to be delegated by the Leader.
  2. BBB Priority: Excellent Council.
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### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: N/A
  4. Total current budget for this head: £N/A
  5. Source of funding: N/A
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### Staff

1. Number of staff (current and additional): No additional staff.
  2. If from existing staff resources, number of staff hours: Updating the Scheme of Delegations has involved a number of officers over the course of the last year.
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### Legal

1. Legal Requirement: Statutory requirement. Local Government and Public Involvement in Health Act 2007.
  2. Call-in: Call-in is not applicable.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The delegation of powers to officers is essential to the efficient operation of most Council services.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 The Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff. Changes to executive arrangements required under the Local Government and Public Involvement in Health Act 2007 mean that any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council. The simplest way to reflect this in the scheme is to add a column to indicate whether each individual delegation derives from the Leader or from Council, or both. It is open to the Leader of the Council to table changes to the executive scheme following their appointment.
- 3.2 The Scheme is normally updated for approval at the Council's annual meeting in May each year. The General Purposes and Licensing Committee instigated a review of the Scheme in the summer of 2009, requesting Development Control Committee and all PDS Committees to question whether matters should be delegated, if prior notification of intention to exercise a delegated power was needed, if there should be a report afterwards and whether such reports could await an annual review. The Scheme was considered by the Constitution Improvement Working Group and a second round of consultation with these Committees was undertaken in the spring of 2010. A summary of Members' comments from these reviews is attached at **Appendix 1**. Further changes to the Environment delegations were proposed by a Member of the Environment PDS Committee – as these relate to executive functions these will be a matter for the Leader to decide on.
- 3.3 As a result of the two rounds of Member review, the new legal requirement to attribute each delegation to either the Council or the Leader, and, in addition, recent changes to departmental arrangements, the Scheme has been updated and the latest version is attached at **Appendix 2** for approval.

<b>Non-Applicable Sections:</b>	Finance/Legal/Policy/Personnel
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers approved by Council, 13 <sup>th</sup> May 2009