

PART 1 - PUBLIC

Decision Maker: Council

Date: 4th June 2014

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 Corporate Services

Ward: N/A

1. Reason for report

- 1.1 At the Annual Council meeting each year a Scheme of Delegation to Officers is approved by Council and by the Leader. The Scheme is an appendix to the Council's constitution. In 2010, the Scheme was 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. The Scheme was last updated by Council on 15th May 2013 and only a small number of minor updates proposed.
-

2. **RECOMMENDATIONS**

- 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 and the Leader approve a Scheme of Delegation to Officers each year at the annual meeting.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £367.636 (2013/14)
 5. Source of funding: existing revenue budgets
-

Staff

1. Number of staff (current and additional): There are ten posts (8.75 FTE) in the Democratic Services Team. No additional staff are required to update the Scheme of Delegations.
 2. If from existing staff resources, number of staff hours: Updating the Scheme of Delegations has involved a number of senior officers, but the time involved is minimal.
-

Legal

1. Legal Requirement: Statutory requirement. Local Government Act 1972 and successive legislation, including the Local Government and Public Involvement in Health Act 2007.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

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

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, and forms part of the Council's Constitution (Appendix 10). The Scheme is normally updated for approval at the Council's annual meeting each year, although under the Local Government and Public Involvement in Health Act 2007 any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council, and it is open to the Leader to table changes to the executive scheme. The executive or non-executive origin of each delegation in the scheme is reflected in a column which indicates whether each individual delegation derives from the Leader or from Council, or both.

3.2 The scheme has been reviewed and the following minor updates have been made –

General Authorities

1 (xv) A section has been added to clarify that Chief Officers may authorise expenditure of section 106 money.

Development Control Committee:

Delegations (26) (xiii) and (xv) have been amended to reduce unnecessary confusion and clarify that various delegated actions are not contingent on reports back to Plans Sub-Committees or Development Control Committee.

Resources Portfolio

In delegation (29), "mortgages" has been corrected to "mortgagee."

In delegation (47) (xviii), the wording has been amended to allow officers to approve property transactions where the purchaser wishes to proceed in the name of another company within the same group, where all other conditions remain as originally approved.

3.3 The amended scheme is attached at Appendix 1.

Non-Applicable Sections:	Finance/Legal/Policy/Personnel
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers considered by Council, 15 th May 2013