

ASSEMBLY

Wednesday, 5 April 2006

**Agenda Item 8a Scheme of Delegation - Chief Officer
Responsibilities (Pages 1 - 2)**

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THE ASSEMBLY

5 APRIL 2006

REPORT OF THE CORPORATE DIRECTOR OF RESOURCES AND DEPUTY CHIEF EXECUTIVE

Title: Scheme of Delegation – Chief Officer Responsibilities	For Decision
<p>Summary:</p> <p>The reorganisation of the Council and consequently the new senior management structure will take effect from 1 April 2006. The Council's Scheme of Delegation (Part C of the Constitution) sets out the delegations to Chief Officers, both collectively and individually. A detailed review of these delegations is underway to take account of the new structure and any split / changes in responsibility will be reported to the Annual Assembly as part of an overall review of the Constitution.</p> <p>In the meantime however it is necessary to authorise the Chief Executive and the Corporate Directors to carry out the delegated functions as they fall to each Department.</p> <p>Wards Affected: None.</p>	
<p>Implications:</p> <p>Financial:</p> <p>Any delay in agreeing the delegations puts the Council at a potential financial risk in decision making.</p> <p>Legal:</p> <p>The basis for delegation is contained in Section 101 of the Local Government Act 1972, Section 15 of the Local Government Act 2000 and the Local Authorities (Functions and Responsibilities) Regulations 2000.</p> <p>Section 112 of the 1972 Act requires Council's to appoint such employees as they think necessary for the proper discharge of their functions and to maintain a list specifying those powers which are exercisable by employees and their respective titles in each case.</p> <p>The Local Government Act 2000 requires Council's to be clear within the Constitution who is responsible for functions and where the decision making lies.</p> <p>Risk Management:</p> <p>Delays in agreeing the delegations puts at risk the normal functions and business of the Council being conducted.</p> <p>Social Inclusion and Diversity:</p> <p>As this report does not concern a new or a revised policy there are no specific or adverse impacts.</p>	

Crime and Disorder: None.		
Recommendation		
The Assembly is asked to authorise the Chief Executive and Corporate Directors to implement decisions which, under the new arrangements, fall to each department with effect from 1 April 2006.		
Reason		
The responsibility for amending the Council's Scheme of Delegation falls under the remit of the Assembly, as it forms part of the Constitution.		
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1. Consultees

- John Tatam, Corporate Director of Resources and Deputy Chief Executive (Democracy and Partnerships)
- Nina Clark, Assistant Chief Executive (Democracy and Partnerships)
- Paul Feild, Principal Solicitor

Background Papers Used in the Preparation of the Report:

- Council Constitution