

Report for Resolution

Report to Council
20 July 2010
Report of Head of Legal and Democratic Services
Subject Scheme of Delegations and Proper Officers

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Purpose

To adopt changes to the Council's constitution as recommended by the Executive at its meeting held on 30 June 2010, by amending the Scheme of Delegation to Officers (Appendix 8 of the Council's constitution) to reflect organisational changes resulting from the Corporate Efficiency Programme and the Statutory and Proper Officer Appointments (Appendix 9 of the Council's constitution).

Recommendations

That Council:-

- (1) approves and adopts the revised Scheme of Delegations to Officers (Appendix 8 of the Council's constitution) and the Statutory and Proper Officer Appointments (Appendix 9 of the Council's constitution, as set out in the report;
- (2) ask the Head of Legal and Democratic Services to amend the constitution accordingly.

Financial Consequences

There are no financial consequences arising from this report.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority "Aiming for excellence – ensuring the Council is efficient in its use of resources, is effective in delivering its plans, is a good employer and communicates effectively with its customers, staff and partners".

Executive Member: Councillor Waters - Corporate Resources and Governance

Ward: All

Contact Officers

Philip Hyde, Head of Legal and Democratic Services

01603 212440

Background Documents

None

Report

Introduction

1. As part of the Council's corporate efficiency programme, the Council was restructured to deliver its services more efficiently and within the community. In order to reflect these organisational changes it is necessary to make some minor amendments to the Scheme of Delegations (Appendix 8) and the Statutory and Proper Officers Appointments (Appendix 9). The recent government position on the local government review also necessitates some changes in the Scheme of Delegations.
2. The Council's Scheme of Delegation (Appendix 8 of the Council's constitution) is subject to adoption by the Council and can only be amended by the Council. The Executive is responsible for maintaining a list of delegations setting out which officers are responsible for the exercise of particular Executive functions.

Scheme of Delegations

3. Amendments are required to the wording of the functions delegated to the Director of Transformation, by deleting the following:-
 - '(1) All functions relating to the Boundary Committee review of local government structures and boundaries across Norfolk';
 - (2) All functions relating to the design and implementation of a new unitary council for greater Norwich, including developing proposals for key elements of the new council such as:
 - (a) organisational change, including new management structures;
 - (b) development of vision, priorities and medium-term strategy;
 - (c) financial desegregation work;
 - (d) service deployment and integration;
 - (e) revised democratic arrangements;
 - (f) neighbourhood empowerment, devolution and engagement;
 - (g) efficiency and effectiveness;
 - (h) staff transfer arrangements;
 - (i) asset transfer arrangements;
 - (j) contractual transfer arrangements;
 - (k) communications with staff, partners and stakeholders.
4. It is also proposed that the specific delegations to the Solicitor to the Council are also extended to the Head of Legal and Democratic Services. These functions are set out in Appendix A.

Statutory and Proper Officer Appointments

5. The Council's regulatory and environmental health functions are now provided by the Public Protection team within the directorate of the Director of Regeneration and Development with effect from 1 April 2010. It is therefore necessary to amend the Statutory and Proper Officer Appointments as set out in Appendix 9 of the Council's constitution. Functions relating to Public Health (Control of Disease) Act 1984 and Public Health (Infectious Diseases) Regulations 1988 should now come under the Director of Regeneration and Development and Appendix 9 amended accordingly.

Appendix A

Head of Legal and Democratic Services and the Solicitor to the Council

- (1) To institute or authorise to be instituted for and on behalf of the Council proceedings before any Court or Tribunal in respect of any civil or criminal matters in connection with the Council's functions.
- (2) To defend and settle claims, actions and appeals to which the Council is a party.
- (3) To execute or arrange to be executed on behalf of the City Council any documentation, or authorisation, sealing, signing etc in pursuance of the Council's functions.
- (4) To institute or authorise to be instituted on behalf of the Council proceedings under Section 222 of the Local Government Act 1972.