

Leaders' Committee AGM

Constitutional Matters – Approval of and amendment to London Councils Scheme of Delegations to Officers

Item no: 15C

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Date: 7 June 2016

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Summary

This report requests approval of London Councils' Scheme of Delegations to Officers which includes the following amendments and additions to the Scheme approved in 2015:

1. To authorise the Chief Executive, in consultation with the Chair of the relevant sub-committee, to amend the programme of sub-committee meetings as required throughout the year.
2. Change the proper officer in section 36 of the Scheme of Delegations from the *PATAS Tribunal Manager* to *Head of Support Services*.
3. To make express reference to the delegations to the Chief Executive and the Directors of any corporate service (and their nominated deputies).

Recommendations

Leaders' Committee is asked to approve the Scheme of Delegations to Officers incorporating the amendments detailed in the Appendix to this report.

Approval of/Amendment to Scheme of Delegations to Officers

Background

1. As required by London Councils' Standing Orders, London Councils' Scheme of Delegations to Officers is approved annually at Leaders' Committee's AGM, although additional delegations may be made during the year. The current Scheme was approved at the Leaders' Committee's Annual General Meeting on 2 June 2015.
2. London Councils' joint committees have retained the authority to make decisions on policy and service provision and have delegated to officers the administrative functions relating to the running of London Councils.
3. The Scheme of Delegations to Officers reflects the current structure of London Councils and enables effective and transparent decision making processes. It does not seek to repeat the delegations contained within the Governing Agreements in full, only repeating them if it enhances the usefulness and clarity of the relevant delegation. The Scheme also does not repeat the specific delegations granted to the Director, Corporate Resources, where the responsibilities are included within the financial regulations. The Scheme of Delegations to Officers refers largely to administrative functions such as staffing, which are delegated in the first instance to the Chief Executive.
4. This year's report requests approval of proposed changes to the London Councils' Scheme of Delegations to Officers approved in 2015 as detailed in the Appendix. There are three changes of substance:

a) Changing the dates of a sub-committee

SO 1.8 requires a relevant joint committee to approve a programme of ordinary meetings for the sub-committees it appoints at its AGM.

The timing and location of meetings is delegated to the Chief Executive under SO 3.1. At present the power to change the date of a sub-committee remains solely with the relevant joint committee, a somewhat cumbersome mechanism if exigencies require swift action to cancel, postpone or call a meeting of a sub-committee. Leaders' Committee is therefore recommended to agree a further delegation as set out in the attached Appendix.

b) Changing the proper officer in relation to London Tribunals

Section 36 of the Scheme of Delegations approved in 2015 appointed the PATAS tribunals manager to perform the functions of the proper officer under the Schedule to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007. Changes to staffing arrangements in London Tribunals require that function to be now performed by a new post, the Head of Support Services. It is therefore proposed to appoint the Head of Support Services as the proper officer. Whilst making this change, it is also proposed to correct the description of the statutory provisions. Leaders' Committee is therefore recommended to agree the amendments as set out in the Appendix.

c) Day-to-Day Management

Reflecting existing practice and for the purposes of ensuring effective day-to-day management of London Councils and administration of the London Councils joint committees, it is proposed that express reference is made to the delegations to the Chief Executive and the Directors of any corporate service (and their nominated deputies) as set out in the Appendix.

5. There are further drafting changes which are intended to provide additional clarity to procedures, to ensure clarity of language and consistency and to ensure legislative references are up to date throughout the document as set out in the Appendix. Please note the table which has been included in Part A of the Appendix has been updated to remove provisions which are not relevant and these changes are not marked as tracked changes.

Recommendations

5. Leaders' Committee is asked to approve the Scheme of Delegations to Officers incorporating the amendments detailed in the Appendix to this report.
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Financial Implications for London Councils:

There are no specific financial implications arising from this report.

Legal Implications for London Councils:

It is important that London Councils' joint committees properly delegate the exercise of functions to Officers in a manner which is consistent with the relevant Governing Agreements, and any legal restrictions on delegable functions, to ensure that the work of London Councils (through Leaders' Committee, Grants Committee and LCTEC) is delivered efficiently and effectively and to avoid any grounds for challenge to decisions made pursuant to those delegations.

Equalities Implications for London Councils:

There are no specific equalities implications for London Councils arising from this report.

Appendix: London Councils Scheme of Delegations to Officers 2015 with proposed changes as a track changed version

Background Document:

[London Councils Scheme of Delegations to Officers \(last revised July 2015\):](#)

London Councils Scheme of Delegations to Officers is available from London Councils' website in the constitutional information section.