

Committee: Annual Council
Title: Scheme of Delegation
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Summary

1. Following the Local Elections on 4 May 2023, the Council are asked to agree “such part of the scheme of delegation as the Constitution determines it is for the Council to agree” as outlined in Part 3 of the Council’s Constitution.
2. Discussions have taken place in regards to the committee structure in operation at the Council between senior officers and Group Leaders. This has led to an officer proposal to merge Governance, Audit and Performance (GAP) Committee and Standards Committee.
3. The functions delegated to these committees will be delegated to a single ‘Audit and Standards Committee’. The only functions not taken wholesale to the new committee is the ‘performance’ and ‘corporate risk’ monitoring function of the GAP Committee, which would reside with Cabinet, if approved.

Recommendations

4. That the Council approves the Scheme of Delegation in respect of Council functions as set out at Appendix A, including the formal merger of the Standards and GAP Committees, to be known as the ‘Audit and Standards Committee’.
5. That the Council approves the transfer of the functions of performance and corporate risk monitoring from the former GAP Committee to Cabinet, within the knowledge that Scrutiny Committee will be able to scrutinise said matters.
6. To authorise the Monitoring Officer under delegated powers to update the Constitution as necessary in respect of the two recommendations above.

Financial Implications

7. None.

Background Papers

8. None.

Impact

- 9.

Communication/Consultation	The proposal has been discussed with Group Leaders.
Community Safety	No impact.
Equalities	No impact.
Health and Safety	No impact.
Human Rights/Legal Implications	That the discharge of council functions be in accordance with the Local Government Act 1972.
Sustainability	No impact.
Ward-specific impacts	All
Workforce/Workplace	No impact.

Situation

1. It is a requirement under Council Procedure Rule 1.1.7 of the Council's Constitution that the Annual Council Meeting agrees such part of the scheme of delegation that relates to functions of council (only at the first meeting of a newly elected council).
2. The Scheme of Delegation (Appendix A) outlines the specific delegation of functions to committees of council and officers.
3. The framework outlines the specific delegation of Council Functions to officers, in order for them to do their paid work as officers of the Council, and sets out the specific delegation to committees of council as to define their remit and formal terms of reference.
4. Group Leaders have been consulted on the current Scheme of Delegation and it has been proposed to merge the Standards and Governance, Audit and Performance Committees. The functions delegated to these Committees would be transferred almost in full to a new committee – the Audit and Standards Committee. These changes have been included as 'tracked changes' on Appendix A.
5. The function of monitoring the Council's 'performance' will be transferred to the Executive. In practice, quarterly reports will be taken to Cabinet for information on the council's key performance indicators (KPIs) and performance indicators (PIs). The same applies to the Corporate Risk Register. During the Council term 2019-23, these reports were previously considered by GAP Committee.
6. It is within Scrutiny Committee's current remit to "review and scrutinise the decisions made by and performance of the executive, committees and council officers both in relation to individual decisions and in more general terms."

Therefore, it is within any member of the Scrutiny Committee's gift to request an item on performance at the next available meeting of the Scrutiny Committee.

Risk Analysis

7.

Risk	Likelihood	Impact	Mitigating actions
If the Scheme of Delegation is not agreed by Council, the functions delegated to officers and committees will no longer be constituted.	1	4	To agree the Scheme of Delegation in accordance with the legislation.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.