

## **TELFORD & WREKIN COUNCIL**

**CABINET – 23<sup>RD</sup> MARCH 2009**

### **PROPOSED AMENDMENTS TO THE SCHEME OF DELEGATION**

#### **REPORT OF THE CORPORATE DIRECTOR ADULT & CONSUMER CARE**

#### **1. PURPOSE**

- 1.1 The purpose of this report is to seek Cabinet approval to amend the scheme of delegation as set out in Appendices 1 and 2.

#### **2. RECOMMENDATION**

- 2.1 That Cabinet approves amendments to the scheme of delegation as set out in Appendices 1 and 2 to this report**

#### **3. SUMMARY**

- 3.1. The scheme of delegation is intended to help the Council carry out its business in an efficient and effective way whilst also ensuring openness and accountability.
- 3.2 Key decisions affecting policy and significant financial expenditure, and many decisions relating to the Council's statutory roles (of planning or licensing for example), are reserved to Council, Cabinet and boards / committees.
- 3.3 However, a large majority of decisions relating to the Council's day to day operations are delegated to officers. This is essential both for the efficiency of service delivery and to keep costs associated with decision making proportionate to the impact of those decisions.
- 3.4 This report requests that Cabinet amends the scheme of delegation to include provisions relating to new legislation and to tidy up a small number of anomalies within existing legislation and within the existing scheme of delegation. These are set out in Appendix 1 to the report.

#### **4. PREVIOUS MINUTES**

- 4.1 Reference the following:-
- Council Constitution Committee – 8 September 2005 (CCC-03)
  - Council – 28 September 2005 (Minute No. 40)
  - Council Constitution Committee – 14 September 2006 (CCC-18)
  - Council – 21 September 2006 (Minute No. 36)

## **5. INFORMATION**

### **5.1 Background**

5.1.1 The Council's scheme of delegation (referred to as the 100(g)2 list) is periodically reviewed to ensure that it remains up to date and valid. All amendments and new delegations listed in the scheme must be approved by Council, Cabinet or the relevant board / committee.

5.1.2 Proposals set out in this report refer to provisions set out in three relatively new acts, revisions to delegations relating to existing legislation (Appendix 1), and amendment of a schedule to the scheme of legislation that is regulated by the Trading Standards Service on behalf of the Council (Appendix 2).

### **5.2 Equal Opportunities**

There are no equalities and diversity issues arising from proposals set out in this report.

### **5.3 Environmental Impact**

There are no environmental impacts arising from proposals set out in this report.

### **5.4 Legal Comment**

The Council has the power pursuant to Section 101 Local Government Act 1972 to delegate the functions listed in this report to officers as described in this report. There are no other legal implications arising directly from this report.

### **5.5 Links with Corporate Priorities**

Proposals set out in this report have no direct implications for the Council's corporate priorities however they are an important part of the framework that enables those priorities to be achieved.

### **5.6 Opportunities and Risks**

The opportunities and risks associated with this report have been identified and assessed. Arrangements will be put in place to manage the risks and maximise the opportunities that have been identified.

### **5.7 Financial Implications**

The Council's scheme of delegation enables decisions to be made about operational matters that might otherwise have to be reported through a board / committee, Cabinet or Council. Therefore, approval

to the delegations proposed will help to streamline those decision making processes with consequent savings in Member and officer time.

## **6. WARD IMPLICATIONS**

- 6.1 Whilst decisions made under delegated powers may affect any or all wards the proposals set out in this report do not have direct Ward implications.

## **7. BACKGROUND PAPERS**

- 7.1 Relevant background papers include:-

- (a) statutory instruments referred to in this report; and
- (b) the Council's scheme of delegation, also referred to as the 100(g)2 list

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