

TELFORD & WREKIN COUNCIL

CABINET – 10th NOVEMBER 2009

PROPOSED AMENDMENTS TO THE SCHEME OF DELEGATION

**REPORT OF THE CORPORATE DIRECTOR ADULTS & COMMUNITY
WELL-BEING**

1. PURPOSE

- 1.1 The purpose of this report is to seek Cabinet approval to amend the scheme of delegation.

2. RECOMMENDATIONS

- 2.1 That Cabinet approves amendments to the scheme of delegation, as set out in paragraphs 3.4 and 3.5 of the 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 existing legislation that were not included in the last report.
- Licensing Act 2003
- 3.5 To amend the scheme of delegation to remove the Regulation & Resilience Manager as the designated Chief Inspector of Weights & Measures and to obtain approval for the Trading Standards Operations Manager to be appointed as the Chief Inspector of Weights & Measures for the Borough of Telford & Wrekin.

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)
- Cabinet – 23 March 2009 (Minute No. CB-175)
- Cabinet – 11 May 2009 (Minute No. CB-199)

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 an amendment of a schedule to the scheme of delegation relating to legislation that is regulated by the Trading Standards Service on behalf of the Council.
- 5.1.3 By virtue of the Weights & Measures Act 1985 (The Act) the council is deemed to be a local weights & measures authority.
- 5.1.4 The local weights & measures authority is legally required to appoint a Chief Inspector of Weights & Measures. The Chief Inspector of Weights & Measures is responsible to the local weights & measures authority for the custody and maintenance of all weights and measures, standards & equipment for the areas he/ she is appointed and generally for the operation of the arrangements made to give effect in that area to the purposes of this Act.

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

There are no financial consequences to highlight arising from the implementation of the recommendations of this report.

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) the Council's scheme of delegation {also referred to as the 100(g)2 list}

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