

REPORT TO EXECUTIVE

Date of Meeting: 7 November 2023

REPORT TO COUNCIL

Date of Meeting: 12 December 2023

Report of: Director Corporate Services

Title: Amendments to the Scheme of Delegation and minor updates to the Constitution

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 This reports sets out proposals to amend the Scheme of Delegation to Officers to match operational arrangements.

1.2 The report also requests a minor update to the Financial Regulations for Section 7, for Orders for Goods, Work or Services.

1.3 The report also requests a minor update to Standing Order No. 54.

2. Recommendations:

That the Council approve the changes to the Scheme of Delegation to Officers, and the minor updates to the Financial Regulations and Standing Order 54 as set out in Appendix A of this report.

3. Reasons for the recommendation:

3.1 To ensure that the Constitution and the Scheme of Delegation to Officers is up to date and matches the operational arrangements of the Council, thereby ensuring that day to day operational decisions can be taken. Particular attention has also been taken to ensure that Deputies have been appointed in all cases where authority has been delegated to officers, thereby ensuring that matters can continue to be dealt with, even in the absence of the named officer(s).

3.2 The minor update to the Financial Regulations will continue to reflect minor changes to the ordering process, which have occurred with the implementation of the eProcurement system.

4. What are the resource implications including non financial resources

None.

5. Section 151 Officer comments:

There are no financial implications contained within this report.

6. What are the legal aspects?

6.1 It is important to ensure that appropriate authority for officers to undertake the operational requirements of the Council, is appropriately approved by full Council and forms part of the Council's constitution.

6.2 The Council must prepare and keep up to date a constitution in accordance with s37 of the Local Government Act 2000. The minimum requirements for the content are set out in The Local Government Act 2000 (constitutions) (England) Direction 2000 which includes a description of the rules and procedures for the management of the Council's financial affairs including: procedures for auditing and financial rules. These are the rules that officers follow in the day to day operation of the Council set within this council's budget and statutory framework of local government finance.

7. Monitoring Officer's comments:

This recommendations set out in this report, raise no issues of concern for the Monitoring Officer.

8. Report details:

8.1 The Scheme of Delegation to Officers is the working document which sets out what decisions and powers officers have on a day to day basis. It therefore needs to be kept up to date to match operational requirements and arrangements.

8.2 The latest annual revision mainly concentrates on:-

- The inclusion of the appropriate Service Leads being authorised to sign agreements/contracts for which the service of the officer is responsible for;
- The inclusion of additional responsibility for the Service Lead City Development to provide responses on behalf of the Council to consultations from Government, regional bodies and other authorities in consultation with the relevant Portfolio Holder;
- The inclusion of the Business Systems Team Lead being an additional deputy for the Assistant Director of Housing (Tenancy Services) for delegations 1 and 2, as shown in Appendix A;
- Moving four delegations from the Service Lead Revenues, Benefits & Customer Access to the Assistant Director of Housing (Tenancy Services) and amending the deputy to the Business Systems Team Lead for delegations 5 - 8 as shown in Appendix A;
- The addition under the Assistant Director of Housing (Tenancy Services) for delegations 9 and 10, as shown in Appendix A;
- The insertion of the Service Lead – Legal Services as a deputy for the Director Corporate Services for sections 1, 2, 3 and 4a.
- The addition of the Director Net Zero and City Management to exercise the role of Duty Holder for the Exeter Port Authority.

8.3 Appendix A also makes reference to a minor amendment to the Councils Financial Regulations to insert an additional paragraph (7d) under Section 7, for Orders for Goods, Work or Services.

8.4 Appendix A also makes reference to the minor amendment to the wording and regulations relating to Standing Order No. 54.

9. How does the decision contribute to the Council's Corporate Plan?

It ensures that the Council is working as efficiently as possible.

10. What risks are there and how can they be reduced?

There are no risks associated with the proposals.

11. Equality Act 2010 (The Act)

In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act.

12. Carbon Footprint (Environmental) Implications:

No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

None

Director Corporate Services, Baan Al-Khafaji

Author: Mark Devin, Democratic Services Manager

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275