

**BRIDGEND COUNTY BOROUGH COUNCIL**

**REPORT TO CABINET**

**10 JANUARY 2017**

**REPORT OF THE MONITORING OFFICER**

**AMENDMENT TO THE SCHEME OF DELEGATIONS**

**1. Purpose of Report**

1.1 The purpose of the report is to seek Cabinet approval for a series of amendments which have been made to the Scheme of Delegation of Functions.

**2. Connection to Corporate Improvement Objectives / Other Corporate Priorities**

2.1 The amendment of the Scheme of Delegations will support effective decision making and the achievement of all the Corporate Priorities.

**3. Background**

3.1 A number of administrative amendments have been made and this report consolidates those updates and advises of the outcomes of the subsequent review of the Scheme of Delegations which was undertaken.

**4. Current situation / proposal**

4.1 Changes to the titles and responsibilities of Cabinet Members Portfolios.

4.1.1 The titles and portfolios of the Cabinet Members have been revised. The functions allocated to each Cabinet Member required some amendments to be made in particular Scheme A to reflect the changes to their responsibilities accordingly.

4.2 Review

4.2.1 A desktop review was undertaken to ensure that the Scheme was up-to-date and fit for purpose. Some revisions were required and are identified below.

4.2.2 To meet operational requirements it is proposed that a new paragraph be added to Scheme B1 for the Chief Executive as follows:

	<u>Delegated Function</u>	<u>Consultee(s)</u>
	To authorise additional expenditure from within the capital programme for new or existing schemes, subject to a maximum limit of £100,000 and funding availability, which, for reasons of urgency cannot await the next meeting of Council.	The Chairperson of any committee or other body to which the Council has delegated the function in respect of which the decision is required or, if there is no such committee or other body, the Mayor;  The Section 151 Officer;  The Monitoring Officer (only if the delegation is sub-delegated to the Section 151 Officer).

4.2.3 In light of the above insertion, it is proposed that paragraph 4.2 at Scheme B2 as a function allocated to the Corporate Director Education and Family Support be deleted accordingly.

4.2.4 It is proposed that paragraph 3.54 of Scheme B2 for the Corporate Director Operational and Partnership Services be amended as follows:

3.54	Notwithstanding anything contained in this Scheme of Delegations, the Corporate Director Operational and Partnership Services has the power to take any action that he considers necessary to protect the Council's interests in relation to any legislation which provides duties or powers upon the Council.
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4.2.5 Paragraph 3.67 of Scheme B2 is transferred from the Corporate Director Operational Partnership and Services to the Chief Executive as a function under Scheme B2:

	To do anything which the Council has a power or duty to do that is necessary for the enforcement of Section 117 of the Road Traffic Regulation Act 1984 and to recommend to the Corporate Director Operational and Partnership Services the institution of criminal proceedings arising from any breach of those provisions.
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4.2.6 Paragraph 3.49 of Scheme B2 as a function allocated to the Corporate Director Operational and Partnership Services is updated as follows:

3.49	To be the person of appropriate seniority designated by the Council to undertake a review upon any decision pursuant to the provisions of Part VII of the Housing Act 1996 and Part II of the Housing (Wales) Act 2014.
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4.3 Cabinet is requested to note that a similar report will be presented to Council on 11 January 2017 requesting approval of the amendments to the Scheme in relation to its functions. Once the approval process and call-in is completed, the Scheme will be updated, published and Corporate Directors will be requested to update their Register of Delegations to reflect these changes.

## **5. Effect upon Policy Framework & Procedure Rules**

5.1 There is no effect upon the Policy Framework and Procedure Rules.

## **6. Equality Impact Assessment**

6.1 There are no equality implications arising from this report.

## **7. Financial Implications.**

7.1 There are no financial implications.

## **8. Recommendation.**

Cabinet is recommended to:

8.1 Approve the Scheme of Delegations in relation to its functions as attached at Appendix A;

8.2 Authorise the Corporate Director Operational and Partnership Services and Monitoring Officer to make minor textual changes and amendments to the Scheme of Delegations to take account of changes in legislation and changes to Officer and Member titles and responsibilities.

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### **Background documents:**

None