

# ***Report to the Council***

**Report of:** Monitoring Officer (N. Boateng (Ext 4323))

**Date:** 30 July 2019

---

## **1. CONSTITUTION – SCHEDULE OF DELEGATION**

**Recommending:**

- (1) That the proposed revisions to the Council’s Scheme of Delegation (Delegation of Executive Functions) as set out in this report, be agreed; and**
- (2) That pursuant to recommendation (1) above, the Monitoring Officer be authorised to make changes to the Scheme of Delegation contained within the Council’s Constitution, as required to give effect to the changes to the Scheme of Delegation.**

1. As a result of the ongoing implementation of the People Strategy, it is necessary to make further revision to the Council’s Scheme of Delegation (Delegation of Executive Functions) to reflect appointments to managerial and specialist positions.
2. To enable the efficient operation of the Council’s estate management function, it is necessary to add delegation to the Service Director (Commercial and Regulatory Services) or a Level 2 Manager authorised by the Service Director, to the existing delegated authority for the following functions:  
  
EXC4 Commercial Tenancies - Service of Notices;  
EXD1 Debts;  
EXP1 Party Wall Act 1996;  
EXP5 Possession Orders (rent arrears/gas safety inspections and other related actions); and  
EXR3 Rent Arrears - Deceased Tenants.
3. It has become apparent that Delegation EXL2 (Landlord and Tenant - Management of Council Property previously authorised the former post of Chief Estates Officer to approve transactions up to the value of £25,000. However, this authority appears to have been overlooked when the Scheme of Delegation was updated by the Council at its meeting in December 2018 and it is therefore recommended that such authority now be added to the Schedule to permit the Estates Management Specialist to authorise transactions up to this amount.
4. To enable the efficient operation of the estate management function, it is also necessary to add the following subject/function to the EXR5 delegation (Authority for Right to Buy Sales and Post-Completion Related Matters):  
  
‘To sign documentation/letters that require execution by way of signature, such as, pre-emption rights consent, exempted disposal consent, postponement letters and similar consents.’

5. These proposed changes to the Scheme of Delegation do not fall within the criteria for revisions that may be made by the Monitoring Officer and it was not possible for these matters to be considered by the Constitution Working Group at its recent meeting. The changes to the Constitution must therefore be approved by the Council.
6. A revised version of the Scheme of Delegation (Delegation of Executive Functions) incorporating the proposals set out on this report, is attached as Appendix 1.