

Report to the Council

Report of: Monitoring Officer

Date: 5 November 2019

1. CONSTITUTION – SCHEME OF DELEGATION (DELEGATION OF EXECUTIVE FUNCTIONS)

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 housing management function, it is necessary to add delegation to the Service Director (Housing and Property Services) or a Level 2 (Service Manager) or Level 1 (Team Manager) position authorised by the Service Director, to the existing delegated authority for the following function:

EXP5 - Possession Orders - Rent Arrears/Gas Safety Inspections and Other Related Actions
3. In addition, it is intended that the Service Director (Housing and Property Services) will, in future, issue possession proceedings directly rather than instruct the Service Manager (Legal Services), as is the current practice. The Service Manager (Legal Services) will henceforth only be involved in possession proceedings if the matter becomes defended or if there is a need for the Council to be represented at Court. This change requires an additional amendment to the EXP5 delegation, to remove the current requirement for the Service Director (Housing and Property Services) to issue possession proceedings in conjunction with the Service Manager (Legal Services).
4. 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 Scheme of Delegation must therefore be approved by the Council.
5. 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 to this report.