

Committee(s):	Date(s):	Item no.
Port Health & Environmental Services	20 September 2011	
Planning & Transportation	4 October 2011	
Licensing	24 October 2011	
Open Spaces	11 October 2011	
Markets	29 November 2011	
Court of Common Council	1 December 2011	
Subject: Delegation of Powers to Officers within reorganised departments		Public
Report of: Director of Environmental Services		For Decision
<p style="text-align: center;"><u>Summary</u></p> <p>Chief Officers and designated post holders within the City of London Corporation are required to implement various legal acts under the authority of delegated powers.</p> <p>As a result of the upcoming reorganisation of departments, all powers currently delegated to the Director of Environmental Services will need to be transferred to the appropriate Director of the following departments: Department of Built Environment; Markets and Consumer Protection Department; and Open Spaces Department. The appendix to this report sets out a comprehensive list of delegated powers required by each Director and relevant officers of the new departments in order to carry out their statutory duties.</p> <p>Recommendations</p> <ul style="list-style-type: none"> • In all cases where proceedings are to be brought the institution of proceedings to be subject to the proviso that, in each case, the Comptroller & City Solicitor has advised that the evidence is sufficient to justify a prosecution. • I recommend that you agree the delegation of powers for activities within the purview of your Committee as set out in the appendix to this report and refer it to the Court of Common Council for final approval. 		

Main Report

Background

1. Officers within the City of London Corporation are required to implement various legal acts under the authority of delegated powers. These powers are delegated by the relevant Committees and the Court of Common Council to Chief Officers and designated post holders. This report and appendix sets out the full extent of delegations currently granted to the Department of Environmental Services which now need to be transferred to the appropriate new departments.

Current Position

2. In response to the corporate departmental reorganisation, it has been necessary to transfer the powers currently delegated to the Director of Environmental Services and designated post holders as follows:

Any legislation currently delegated to the Director of Environmental Services and, in his absence, the Port Health & Veterinary Services Director, and the Environmental Health & Public Protection Director, will now need to be delegated to the Director of Markets and Consumer Protection and, in his absence, the Port Health & Public Protection Director.

Any legislation currently delegated to the Director of Environmental Services and, in his absence, the District Surveyor, the Highways and Cleansing Services Director, and the Business Development Director (and the Parking Ticket Office Manager), will now need to be delegated to the Director of Built Environment Department and, in his absence, the District Surveyor and the Highways and Cleansing Services Director.

Any legislation currently delegated to the Director of Environmental Services and, in his absence, the Business Development Director (and the Superintendent Registrar), will now need to be delegated to the Director of Open Spaces and the Superintendent Registrar.

3. This updated list of delegations for each of the new departments will continue to facilitate the implementation of a wide range of enforcement powers in the areas of Environmental Health, Trading Standards, Port Health, Highways, Cleansing, Building Control, and the City of London Cemetery and Crematorium.
4. Any other issues arising from these changes, including updates to specific pieces of legislation, will be dealt with in a further report to your committee.

Proposals

5. I am confident that the extensive liaison with all of my Service Directors and the Comptroller and City Solicitor has produced a comprehensive and robust document for your Committee's approval.
6. I accordingly propose that the updated list of delegated powers be approved by your Committee to ensure that the specified post holders are able to carry out necessary enforcement action in accordance with the relevant statutes.

Corporate & Strategic Implications

7. This proposal links the following themes of the City Together Strategy: is competitive and promotes opportunity; supports our communities; protects, promotes and enhances our environment; is vibrant and culturally rich; is safer and stronger.

Consultees

8. The Town Clerk, the Chamberlain and the Comptroller & City Solicitor have been consulted in the preparation of this report and their comments have been incorporated

Conclusion

9. To ensure the specified officers of the Department of Built Environment, the Markets and Consumer Protection Department, and the Open Spaces Department continue to act within the law, the updated list of delegated powers requires your Committee's approval.

Background Papers:

DES067/2007 – Delegation of Powers to Officers of the Department of Environmental Services

DES062/2008 – Delegation of Powers to Officers of the Department of Environmental Services

Appendices

A list showing the powers currently delegated to the Department of Environmental Services which need to be transferred to the Directors of the new Departments.

Contact:

Jon.averns@cityoflondon.gov.uk / telephone number:020 7332 1603