

<b>Committee(s):</b>	<b>Date(s):</b>
Policy and Resources Committee Court of Common Council	4 July 2019 18 July 2019
<b>Subject:</b> Scheme of Delegations to Officers	<b>Public</b>
<b>Report of:</b> The Town Clerk	<b>For Decision</b>
<b>Report author:</b> Greg Moore – Principal Committee and Members’ Services Manager	

### **Summary**

This report sets out various updates and proposed changes to the City Corporation’s Scheme of Delegations to Officers.

The Scheme was last reviewed in 2014 and now needs updating to take account of revisions made to officer and departmental structures, updates to legislation, and a number of proposed new delegations to assist in the day-to-day management of the organisation. The opportunity has also been taken to correct any drafting errors.

All the changes can be seen in the revised Scheme which is set out at Appendix 1. A summary table within this report also sets out where major changes are proposed.

As the Committee responsible for the review and co-ordination of the governance of the City of London Corporation, including its committees, standing orders and outside bodies scheme, the Committee is asked to consider the Scheme in its entirety and submit it to the Court of Common Council for approval.

These proposals incorporate those amendments already approved at your June 2019 meeting in relation to powers delegated to the City Surveyor.

### **Recommendation**

It is recommended that the proposed changes to the Scheme of Delegations to Officers be approved and the Scheme, as amended, be submitted to the Court of Common Council for approval.

## Main Report

### Background

1. To facilitate the administration of the City Corporation's many and complex functions, the Court of Common Council delegates the majority of its functions to its Committees and Officers. Individual committee Terms of Reference set out the functions delegated to committees, whilst the Scheme of Delegations sets out those functions which have been delegated to Officers.

### Proposed changes

2. The Scheme of Delegations has not been subject to a comprehensive review since 2014. Therefore, many delegations make reference to out of date legislation, whilst other the practical administration of other areas have changed over the years with new delegations being added.
3. In the process of reviewing the Scheme, the opportunity has also been taken to ensure any drafting errors are corrected. As a matter of good governance, the City Corporation should ensure it has an up to date Scheme that is publicly available.
4. Whilst many of the changes to the scheme reflect updated legislation, revised officer structures and drafting corrections, there are a number of more substantial changes proposed. The table below highlights the major changes and can be cross referenced with the revised Scheme which is set out at Appendix 1.

Chapter	No.	Change
<b>General conditions of delegation</b>		Updates to policies and codes
	Overall delegations to officers	New 3 <sup>rd</sup> paragraph to cover the legal framework under which delegated action is taken
	Contracts	Reworded para 8 and 8(c) to reflect that approved lists are no longer used
<b>Employment matters</b>	16	To include reference to guidance agreed by Establishment Committee
	42	Addition to include ex-employees in respect of dismissal on grounds of ill-health and early release of pension
	43	Decrease in the number of days of special leave able to authorise
	48	Delegation to waive reductions to benefits in cases of early/flexible retirement moved to here from under Director of HR
	50	Increase in maximum value of Market forces Supplements from £5k to £10k able to authorise
<b>Town Clerk and Chief Executive</b>	6	Updated wording for discharging functions under Civil Contingencies Act

	16 - 30	Additional delegations relating to cultural activities to reflect revised departmental structure and additional delegation (20) regarding responsibility for the management of the CoL Police museum
	32	Additional delegation regarding Bridge House Estates
<b>Director of HR</b>	2(c)	Adding 'Judges' to authority to increase salaries
	old 7	Moved to new 48 under Employment matters (see above)
<b>The Chamberlain</b>	18	Amended to include waivers up to £50k in accordance with the Procurement Code
<b>Commissioner for the City of London Police</b>	4	Amendment to wording to authorise the provision of occupational health services to civilian staff
	9	Added responsibility for the management of the museum collection
<b>Comptroller and City Solicitor</b>	8	Additional delegation regarding acting as data protection officer under GDPR
<b>City Surveyor</b>	17 - 21	Added delegations to cover capital projects
<b>Director of Community and Children's Services</b>	5	Amended to make the delegation on submitting responses to Government consultative documents clearer
	16	Additional delegations covering homelessness
	Commercial Property	Heading made more specific
	38 – 41 & 43/44	Additional delegations covering community libraries to reflect present departmental structure
	47	Delegations to other officers updated
<b>Director of Built Environment</b>	22 - 55	Additional highways and transport delegations included
	59 - 79	Additional delegations covering City Walkway included
	85	Additional delegation regarding action under Anti-Social Behaviour, Crime and Policing Act
	90 - 96	Additional delegations covering proceedings under the Environment Act, London Local Authorities Acts, Local Authorities Act and Highways Act
	Delegations to other officers	Updated

	Development Management	Deletion of delegation relating to applications for Conservation Area Consent
	119	Additional authority under S106 of the Town and Country Planning Act 1990
	120	Deletion of delegation relating to S106 of the Town and Country Planning Act 1990
	124	Additional delegation relating to the Thames Tideway Development Consent Order and other similar Development Consent Orders
	125	Additional delegation regarding Planning Performance Agreements and discretionary planning services
	126 & 127	Removal of reference to being agreed by the Chairman of the Planning & Transportation Cttee
	Crossrail	Existing delegations deleted
	132	Additional delegation in relation to making payments for Crossrail contributions
	133 - 140	Insertion to make existing provisions covering Local Plans, Land Charges and Local Flood Authority delegated to the Policy and Performance Director
	Delegations to other officers	Various amendments
<b>District Surveyor</b>	148	Additional delegation regarding special and temporary structures etc.
<b>Director of Markets and Consumer Protection</b>	Markets	Delete existing no.3 regarding authorising the City Solicitor to institute legal proceedings
	8: 65	Amended delegation under London Local Authorities Act regarding street trading offences
	8: 105-107	Additional delegations under the Consumer Rights Act, Enterprise and Regulatory Reform Act and Highways Act
<b>Director of Open Spaces</b>	2	Additional general delegation to institute legal proceedings
	6	Insertion of reference to Public Spaces Protection Orders
	8	Additional delegation to authorise the issue of Fixed Penalty Notices
	9, 18, 27 & 37	Additional consultation with City Surveyor and City Solicitor inserted

	9, 27, 37, 45 & 52	Additional provision to grant licences
	11	Additional delegation to let out recreational premises
	28	Additional delegation regarding wayleaves (to bring it into line with other open spaces)
	31 & 46	Additional delegation regarding sale of produce
	33	Additional delegation regarding granting licenses (to bring it into line with other open spaces)
	43 & 44	Additional delegations regarding cemetery and crematorium byelaws
	47 - 51	Additional delegations regarding Tower Bridge and the Monument
	52	Additional delegation regarding Keats House and Ten Keats Grove wayleaves and licences
<b>Head Teacher, City of London Freeman's School</b>	1(a), 1 (b), 7, 8, &12	Amended to clarify the purpose of reporting actions to the Board of Governors
	1(b)	Additional provision regarding new posts of Head of Department and above
	10	Additional delegation to approve compassionate leave
	14	Additional posts regarding dismissal included
	15	Additional posts regarding suspension included
<b>Head Teacher, City of London School</b>	2,3,8,9 &12	Amended to clarify the purpose of reporting actions to the Board of Governors
	7	Existing delegation regarding the issue of documentation to teachers amended to be more specific
<b>Head Teacher, City of London School for Girls</b>	3,4,9,12,13 & 20	Amended to clarify the purpose of reporting actions to the Board of Governors
<b>Principal, Guildhall School of Music and Drama</b>		No changes
<b>The Remembrancer</b>		No existing delegations
<b>Managing Director, Barbican Centre</b>		No existing delegations

## Proposals

5. The Policy and Resources Committee is responsible for the review and co-ordination of the governance of the City of London Corporation, including its

committees, standing orders and outside bodies scheme, reporting as necessary to the Court of Common Council. The Committee is therefore asked to consider the Scheme in its entirety and submit it to the Court of Common Council for approval.

6. It should be noted that a report on revising Standing Orders appears elsewhere on this agenda.
7. The Scheme of Delegations is subject to constant change and updating. Therefore, as new or amended delegations are agreed, the Scheme will need to be suitably amended. By approving the Scheme now as submitted, this will provide an amended core Scheme upon which future amendments can be made.
8. Members may wish to note that the City Surveyor submitted a separate report (June 2019) on the various Financial Thresholds and Project Approvals required in relation to acquisitions, disposals, variations, maintenance and project management arrangements. These changes have been incorporated within the attached revised Scheme of Delegations without indication, as they have already been considered and approved on their own merits.

## **Appendices**

- Appendix 1 – Revisions to the Scheme of Delegations to Officers.

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