

Committee(s):	Date(s):
Port Health & Environmental Committee Planning & Transportation Committee Court of Common Council	22 November 2016 28 November 2016 8 December 2016
Subject: Update to Scheme of Delegations	Public
Report of: Director of the Department of the Built Environment	For Decision
Report author: Elisabeth Hannah, Department of the Built Environment	

Summary

The Court of Common Council has delegated some functions to Planning & Transportation Committee and Port Health & Environmental Services Committee. To facilitate the carrying out and administration of these functions, some of them have been delegated down to Chief Officers as set out in the Scheme of Delegations previously approved by the Court of Common Council on 1st May 2014, updated in December 2014 and June 2015.

Minor modifications to legislation and responsibilities have taken place, and these have been reflected in the revised Scheme of Delegations at Appendix A.

Recommendation(s)

Members are asked to:

- Note the Report
- Approve the new and updated delegations to Chief Officers set out in the updated Scheme of Delegations at Appendix A for onward approval by the Court of Common Council.

Recommend that the Court of Common Council appoints the District Surveyor, and in his absence, the Assistant District Surveyors, and in the absence of the Assistant District Surveyors, the Director of the Built Environment, to be the “appointing officer” pursuant to the Party Wall etc. Act 1996 to exercise the power to select a third surveyor under section 10(8).

Main Report

Background

1. The Court of Common Council has delegated the exercise of various statutory functions to Port Health & Environmental Services Committee (including responsibility for environmental health) and to the Planning and Transportation Committee. To facilitate the carrying out and administration of

these functions, some of them have been delegated down to Chief Officers as set out in the Scheme of Delegations approved by the Court of Common Council on 1st May 2014, updated in December 2014 and June 2015.

2. Modifications to legislation and responsibilities have taken place, and these have been reflected in the revised Scheme of Delegations document, Appendix A.

Current Position

3. Principally to take account of updated legislation, changes to post titles and identification of additional functions it would be beneficial to delegate to Chief Officers, revisions to the scheme have been made.. All changes have been noted in the table on the front two pages of the appendix document.
4. Key changes include updating references to legislation such as the Town and Country Planning (General Permitted Development) Order 1995 (now 2015) and new delegations to the District Surveyor (Nos 94 and 95) including under the Party Wall etc Act 1996. As functions under the Party Wall etc. Act 1996 have not been delegated to either committee this report will be referred on to the Court of Common Council. [NB: You might also wish to explain the changes to the delegations concerning trees as consultation/notification of the Chairman is to be omitted.]

Proposals

5. Committee members are asked to note the changes and endorse this report, and Appendix A, for onward approval by the Court of Common Council.

Corporate & Strategic Implications

6. Regular review of delegations is required to keep them up to date and to ensure that the Department of the Built Environment (DBE) can continue to carry out functions effectively..

Implications

7. Failure to review and update delegations may render the Department less effective in performing its statutory functions and unable to take advantage of new legislative powers including those relating to enforcement .

Consultees

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

Recommendation

9. That the Committee agrees to the amendments to the Scheme of Delegations for onward approval by the Court of Common Council.

Appendices

- Appendix A – DBE Revised Scheme of Delegations

Background Papers:

Previous Delegated Powers updated Committee Report.

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