

Report – Policy and Resources Committee

Scheme of Delegations

To be presented on Thursday, 18th July 2019

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

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.

These proposals incorporate a number of amendments in relation to powers delegated to the City Surveyor, which have been considered and endorsed by your Property Investment Board, Projects Sub-Committee, and Investment Committee, as well as your Policy and Resources Committee.

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, your Policy and Resources Committee hereby presents the revised Scheme for consideration and the Court of Common Council is recommended to approve the amended document accordingly.

RECOMMENDATION

It is recommended that the proposed changes to the Scheme of Delegations to Officers be approved.

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 those 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 Therefore, many delegations make reference to out of date legislation, whilst other the practical administration of other areas have changed over the years, with new delegations being added.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 try and ensure that 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
General conditions of delegation		Updates to policies and codes
	Overall delegations to officers	New 3 rd 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
Employment matters	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	Amendment to Market Forces Supplements section to reflect the Pay Progression Policy
Town Clerk and Chief Executive	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
Director of HR	2(c)	Adding 'Judges' to authority to increase salaries

	old 7	Moved to new 48 under Employment matters (see above)
The Chamberlain	18	Amended to include waivers up to £50k in accordance with the Procurement Code
Commissioner for the City of London Police	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
Comptroller and City Solicitor	8	Additional delegation regarding acting as data protection officer under GDPR
City Surveyor	2	Increased threshold for Lettings and Lease Renewals and for Rent Review Increases.
	12	Increased threshold for Redevelopment, Refurbishment and Revenue programme.
	17 - 21	Additional delegations to cover capital projects.
Director of Community and Children's Services	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
Director of Built Environment	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
District Surveyor	148	Additional delegation regarding special and temporary structures etc.
Director of Markets and Consumer Protection	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
Director of Open Spaces	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
Head Teacher, City of London Freeman's School	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
Head Teacher, City of London School	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
Head Teacher, City of London School for Girls	3,4,9,12,13 & 20	Amended to clarify the purpose of reporting actions to the Board of Governors
Principal, Guildhall School of Music and Drama		No changes
The Remembrancer		No existing delegations
Managing Director, Barbican Centre		No existing delegations

- It should be noted that a small number of more substantive amendments are proposed in relation to the City Surveyor's department, specifically increased thresholds for approvals for investment property items. These stem from detailed consideration by your Property Investment Board, which has undertaken significant activity to discuss measures that might improve the efficiency and

speed to market of transactions and reduce paperwork and processes across the City's investment property portfolio. This is intended to allow Members to concentrate on more strategic issues, overall rental income and performance, and budgets for the investment portfolio and the Transformational Projects.

6. The proposed changes to thresholds in the existing Scheme of Delegations set out are considered to be sensible in order to maximise efficiencies, both in time and in cost, whilst maintaining an appropriate level of governance and without making the process difficult to manage. The proposals sit alongside separately approved changes to the Projects Procedure and Gateway processes for the City's investment property projects, again, to facilitate an expedited process with appropriate Member oversight.

Conclusions

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 are, therefore, asked to approve the revised Scheme of Delegations as set out at Appendix 1, with amendments marked.

All of which we submit to the judgement of this Honourable Court.

DATED this 4th day of July 2019.

SIGNED on behalf of the Committee.

Catherine McGuinness, Deputy
Chair, Policy and Resources Committee