

SLOUGH BOROUGH COUNCIL

REPORT TO: Cabinet

DATE: 22nd June 2015

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WARD(S): All

PART I **NON-KEY DECISION**

SCHEME OF DELEGATION TO OFFICERS – EXECUTIVE FUNCTIONS

1 Purpose of Report

To seek Cabinet's agreement to the Scheme of Delegation to Officers as set out in Part 3 of the Council's Constitution insofar as the scheme relates to executive functions.

2 Recommendation(s)/Proposed Action

The Cabinet is requested to resolve that the Scheme of Delegations to Officers set out in Part 3 of the Council's Constitution (as amended at the Meeting of the Council held on 27th January 2015) be adopted insofar as the scheme relates to executive functions.

3 Slough Joint Wellbeing Strategy Priorities

Whilst this report being administrative in nature does not directly contribute to the Slough Joint Wellbeing Strategy Priorities the Scheme of Delegation to Officers will support all of the existing priorities.

4 Other Implications

(a) Financial

There are no financial implications as this report is administrative in nature.

(b) Human Rights Act and Other Legal Implications

There are no Human Rights Act or other legal implications.

5 Supporting Information

5.1 Under Part II of the Local Government Act 2000, the functions of the Authority are split into executive, i.e. Cabinet functions, and non-executive, i.e. Council functions. The detail of this split is set out in Part 3 of the Council's Constitution entitled 'Responsibility for Functions – Scheme of Delegation to Officers'.

5.2 An executive function can only be delegated by the Cabinet, not by full Council. A number of revisions have been made to the Scheme and titles changed to reflect current structures.

5.3 A number of delegations were inadvertently omitted from the Scheme that was submitted to the Council in April 2014 and approved by Cabinet in June 2014 insofar as they applied to executive functions. This was a drafting error and a number of amendments were therefore agreed by Council at its meeting on 27th January 2015 to the following sections:

- Part 2 – Delegation of functions to Officers by the Council and Executive (E20).
- Part 3 – Proper Officer functions (Part 3) with regard to the National Health Service Act 2006 (PO61 – PO69).

5.4 A number of amendments were also made to the contracts element of the Financial Procedure Rules to simplify them and provide greater clarity over exemption requests and tendering processes. Procurement delegations B1 and B2 were deleted as they were covered under Financial Delegations A5 and A6 and were therefore unnecessary.

6 **Comments of Other Committees**

The Member Panel on the Constitution reviewed the Constitution before its submission to Council and Cabinet.

Parts of the Constitution, including amendments to the Scheme of Delegation to Officers, was submitted to and approved by the Council on 27th January, 2014.

7 **Conclusion**

The Cabinet is asked to adopt the Scheme of Delegation to Officers insofar as it relates to executive functions.

8 **Appendices**

'A' - Scheme of Delegation – not reproduced

The amendments to the Scheme of delegation were considered at the Council Meeting on 27th January 2015. The Scheme will be amended to take account of re-organisation/restructuring/revised job titles where necessary. The Scheme is available on the Council's Website.

Copies are available on request from Democratic Services (01753 875120)

9 **Background Papers**

None.