

Body:	Council
Date:	20th July 2011
Subject:	Scheme of Delegations to Officers and Proper Officer List
Report of:	Locum Lawyer
Purpose	To seek approval for the proposed Scheme of Delegations to Officers and Proper Officer list attached to this report
Recommendation:	The Council is recommended to approve the Scheme of Delegations to Officers and Proper Officer List at Appendix 1 to the report, which will then form part of the Council's Constitution
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1.0 Background

- 1.1 Section 37 of The Local Government Act 2000 requires local authorities to maintain an up to date Constitution. A Secretary of State's Direction made in 2000 prescribed what the contents of a Constitution should be. The Direction stated that, among other things, the Constitution should include a description of Council and Executive powers which are for the time being exercisable by an officer or officers of the authority.
- 1.2 Eastbourne Council's existing Scheme of Delegations to Officers has been in place for ten years and has been amended and added to in piecemeal fashion during that time.
- 1.3 This and the comparatively recent staff reorganisation and widespread change of job titles have prompted an updating and overhaul of the Scheme.
- 1.4 The Council noted at its meeting of 25th May 2011 that it would shortly be asked to adopt an updated Scheme of Delegations to Officers and Proper Officer List.

2.0 The Proposed New Scheme

- 2.1 The main principle behind the design of the new Scheme has been to make it both generic and comprehensive. It should also be easy to add any future delegations to the Scheme. The Scheme is set out in as clear, logical and user-friendly a manner as possible. The intention has been that it should not be necessary to undertake a wholesale redrafting of the Scheme for some years to come.

2.2 The Scheme is not just intended to be simple to use but also to fit in well with the Agile working system. A modern local authority, carrying out its functions efficiently and effectively, needs to have in place a system whereby the necessary delegations and sub-delegations can be made easily and transparent records of sub-delegations can be quickly accessed electronically.

3.0 Consultation

3.1 The Council's Chief Officers and Managers have been consulted on the Scheme of Delegations to Officers and Proper Officer List. Their amendments have been incorporated into the Scheme and List at Appendix 1. Cabinet Members, the Opposition Leader and Deputy Leader have also been consulted on the draft scheme.

4.0 Resource and Legal Implications

4.1 Financial Implications
None

4.2 Staffing Implications
None

4.3 Legal Implications
None save those detailed in the report

5.0 Environmental, Human Rights, Community Safety, Youth, Anti-poverty Implications

5.1 None

6.0 Conclusion

6.1 The Council should have an up to date Scheme of Delegations to Officers and Proper Officer List and members are therefore asked to accept the recommendation above that the Scheme and List be adopted.

Andy Couper
Locum Lawyer

Background Papers:

The Background Papers used in compiling this report were as follows: None