

Body:	Council
Date:	7 May 2014
Subject:	Update to the Scheme of Delegations to Officers, which forms part of the Council's Constitution
Report Of:	Lawyer to the Council
Ward(s)	All
Purpose	To seek Council's approval to update the Officers Scheme of Delegations in the specific terms outlined in this Report.
Recommendation:	That Council approve the amended Scheme of Delegations appended hereto and authorise the Lawyer to the Council to publish them in the Council's Constitution.
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1.0 Introduction

- 1.1 The Council's Scheme of Delegations to Officers forms part of Eastbourne Borough Council's Constitution. It details the arrangements this authority has put into place for discharging its powers through the actions of appropriate officers acting in accordance with the authority's policies and procedures and the law.
- 1.2 While the Scheme was most recently reviewed prior to last year's annual Council, further minor updates are necessary. These will ensure that the delegations in place are as clear and as current as possible so as to ensure the effective and lawful discharge of the authority's functions.

2.0 Amendments made necessary as a result of Individual Electoral Registration

- 2.1 Members will be aware that Individual Electoral Registration, or IER, represents a new approach to electoral registration. This includes invoking relevant provisions of the Representation of the People (England and Wales) Regulations 2001 to provide a process for hearings in situations where either there are objections or reasons to doubt the validity of an application for registration or where names are to be removed from the register.

2.2 These hearings must be conducted either by the Electoral Registration Officer or his Deputy. While the current post-holders are the Chief Executive and the Deputy Chief Executive respectively, the above-mentioned changes make appointing a second Deputy necessary. It is therefore recommended that the Head of Corporate Development be appointed as an additional Deputy ERO.

2.3 Deputy ERO appointments must be made by full Council pursuant to S 52(2) of the Representation of the People Act 1983, hence the inclusion of the relevant delegation in the updated scheme which is appended hereto as Appendix 1.

3.0 Other updates to the Scheme

3.1 The updated Scheme appended here incorporates other additional amendments which are recommended to annual Council as a result either of changes to the law, or to introduce additional clarity to the scheme.

3.2 The amendments include specific reference to the delegations to the Chief Officers (when nominated by the Chief Executive or Deputy Chief Executive in the individual instance) to enable them to decide on application whether or not to list nominated assets as Assets of Community Value. Other amendments include the removal of a small amount of repetition in the Scheme, as well as reference to new legislation such as the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

4.0 Consultation

4.1 None

5.0 Resource Implications

5.1 None

6.0 Other Implications

6.1 None

7.0 Summary of Options

7.1 Council is invited to choose to approve the recommendation.

8.0 Conclusion

8.1 Council is recommended to approve the amended Scheme and to give the Lawyer to the Council delegated authority to publish the updated version as soon as possible.

Appendices:

Appendix 1 – the amended Scheme of Delegations to Officers, incorporating suggested updates

Background Papers:

The Background Papers used in compiling this report were as follows:

The Representation of the People Act 1983 and relevant associated legislation, including the Representation of the People (England and Wales) Regulations 2001/341

To inspect or obtain copies of background papers please refer to the contact officer listed above.