



REPORT of DIRECTOR OF SERVICE DELIVERY

**to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
7 MARCH 2024**

COUNCIL CONSTITUTION - SCHEME OF DELEGATION - SERVICE DELIVERY DIRECTORATE

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to seek the Committee's approval and recommendation to the Council of proposed changes to the Scheme of Delegation in the light of the recent restructuring of the Service Delivery Directorate.

2. RECOMMENDATIONS

To the Council:

- (i) That the Council is recommended to agree to the redistribution of the powers currently delegated to the Director of Service Delivery to the Assistant Directors - Service Delivery as proposed and shown at **APPENDIX A** to this report;
- (ii) That the Council is recommended to agree to the consequential changes referred to in paragraphs 3.6 and 3.7 of this report, namely to the list of Proper Officer designations set out in the Scheme of Delegation (General Provisions) document in the Constitution, and the transfer of the delegated powers in relation to Neighbourhood Planning from the Director of Strategy and Resources to the relevant Assistant Director - Planning and Implementation.

3. SUMMARY OF KEY ISSUES

- 3.1 On 4 December 2023 phase 2 of the approved restructuring of the Service Delivery Directorate went live. The restructure was designed to enhance the delivery of a smooth and more effective team for everyone to work within. It allowed for staff to be more aligned in teams in a more traditional structure based on functional responsibility.
- 3.2 The new structure at its most senior level beneath the Corporate Director has three Assistant Directors each responsible for the delivery of a range of services based on a clear division of functional responsibility. The Assistant Directors are supported by seven Heads of Service linked to that division of functional responsibility.
- 3.3 The existing Scheme of Delegation envisages the entirety of what is a large and wide-ranging grouping of services / functional responsibility being delegated to the Director. While it is possible for sub-delegation to occur through the written authorisation of others to exercise those delegated powers, it is a particularly

complex task to administer and maintain. At the same time, sub-delegation to lower tiers within a structure can give rise to a level of tension between the Director whose principal interest will be at a corporate level within the authority and the duly authorised Officer whose prime role will be at an operation level.

- 3.4 Given the underlying basis for the new structure it seems entirely logical, and administratively beneficial, for the entirety of the delegated powers to be redistributed to the Assistant Directors to reflect their functional responsibility. This will not only release the Director from day to day decision-making and having to authorise others in relation to a wide range of operational matters, but also enable the Assistant Directors to sub-delegate to others as they see fit and keep their particular range of delegated powers under review and report to the Committee accordingly.
- 3.5 **APPENDIX A** to this report shows how the Scheme of Delegation for the Service Delivery Directorate would look with the proposed redistribution of powers according to the division of functional responsibility under the new structure. The exercise of a few more corporate and higher level powers is shown still to be retained by the Director. The Scheme of Delegation (General Provisions) document in the Constitution provides that “In the absence of Director or other authorised Officer, or in the event of their inability to act in the exercise of a delegated power or function, another Director may exercise that power or function should the need arise”.
- 3.6 The Scheme of Delegation (General Provisions) document also sets out those Proper Officers designated by the Council under certain legislation. If the Council agrees to the proposed re-distribution of delegated powers, then the designation in relation to Ordnance Survey, Local Land Charges etc. will need to be updated to show the relevant Assistant Director in line with their functional responsibility and delegated powers in those respects. It is proposed that the Proper Officer for Crime and Disorder should remain as the Director of Service Delivery.
- 3.7 It is emphasised that there is no change to the substance of any of the delegated powers proposed to be redistributed. References to Director will however need to be changed to the relevant Assistant Director in certain cases. Enforcement / Investigating Officers in relation to the Food and Environmental Protection Act 1985 have also been updated and will need to be also reflected in the Scheme of Delegation (General Provisions) document. The only other change at this stage will be to transfer from the Director of Strategy and Resources the delegated powers in relation to Neighbourhood Planning which now form part of the functional responsibility of the Assistant Director (Planning and Implementation).

4. CONCLUSION

- 4.1 The proposed redistribution of the existing powers delegated to the Director is logical and would be administratively beneficial. If agreed, the Assistant Directors will then be free to review and report on their own delegation to reflect their functional responsibility. Only minor consequential revision to other Constitutional documentation will be required at this stage.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027

5.1 Provide good quality services.

- 5.1.1 Clear and effective delegation will assist improved performance and efficiency in decision-making which in turn will contribute to the quality of services provided, and functions undertaken by the Council.

6. IMPLICATIONS

- (i) **Impact on Customers** – None directly, though a clear framework for decision making can only improve the potential operation of the Council's services and functions.
- (ii) **Impact on Equalities** – Not applicable.
- (iii) **Impact on Risk (including Fraud implications)** – None directly, though a clear framework for decision-making can only reduce the potential for risk in the exercise of the Council's functions.
- (iv) **Impact on Resources (financial)** – Not applicable.
- (v) **Impact on Resources (human)** – Not applicable.

Background Papers: None.

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