



**REPORT of
ASSISTANT DIRECTOR - PLACE AND COMMUNITY**

**to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
18 JUNE 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 updating of part of the Scheme of Delegation for the Service Delivery Directorate.

2. RECOMMENDATION

To the Council:

That the revised Scheme of Delegation to the Assistant Director - Place and Community and to other Officers in relation to the Council's public and other licensing functions as proposed and shown at **APPENDIX A** to this report is agreed.

3. SUMMARY OF KEY ISSUES

- 3.1 Following a report to the Committee on 7 March 2024 and upon the Committee's recommendation, the Council on 21 March 2024 agreed to the redistribution of the delegated powers given to the Director of Service Delivery to the three Assistant Directors in line with their functional responsibilities under the new Service Delivery Directorate structure.
- 3.2 As previously indicated, the existing delegated powers are in need of updating particularly in relation to Environmental Health and related regulatory functions here traditionally a range of powers and functions to be exercised are set out by way of an exhaustive list of the relevant legislation. Inevitably over time the use of such specific referencing of statutory powers requires updating.
- 3.3 Following a review, the proposed changes to Parts 5, 8, 9 and 10 of the Scheme of Delegation are set out and incorporated in **APPENDIX A** to this report. It is important to stress that there is no change to substance here – the updating being primarily of a housekeeping nature to reflect the range of statutory provisions under which the Environmental Health and related regulatory regime is operated on a day to day basis. An additional provision is introduced in line with modern practice with a view to supporting the ability of the Assistant Director to undertake the various functions and where appropriate authorise others in those respects as required, and according to experience and qualifications. The revised Scheme as now presented has the required safeguards and is seen to represent a vital tool of the Council's governance arrangements.

- 3.4 An adjunct to the existing Scheme of Delegation is that relating to the Council's Licensing function. As before, this needs to reflect the two distinct roles the Council has in relation to Public Licensing, the first being the principal one of the Licensing Authority, the second as a Responsible Authority in responding to consultations and making representations on licensing applications. For this reason, the two functions have been delegated to separate Officers within the same Directorate, and the proposed changes are again consistent with the new internal structure and overall functional responsibility of the Assistant Director.

4. CONCLUSION

- 4.1 Following the redistribution of delegated powers within the Service Delivery Directorate to Assistant Directors, the powers set out in Parts 5, 8, 9 and 10 of the Scheme of Delegation have been reviewed and updated to reflect functional responsibility in the Place and Community area of the Directorate. The proposed updating is consistent with good practice and enhances the governance arrangements of the Council.

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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