

**PART 3 – SCHEME OF DELEGATION (GENERAL PROVISIONS)**

The following extracts highlight those previously approved delegations involving a Director and / or where an Officer is involved. The proposals are supported by the Corporate Leadership Team.

**2. STATUTORY OFFICER AND OTHER DESIGNATIONS****"Proper Officers"**

<b>The Local Government Act 1972</b>		
<b>Section of Act</b>	<b>Functions</b>	<b>Proper Officer</b>
89(l)(b)	Receipt of notice of casual vacancy from two local government electors	<del>Director of Strategy, Performance and Governance</del> <u>Chief Executive</u>
100 D(5)(a)	Identification of background papers	In joint reports <del>a Director</del> <u>the Chief Executive</u> and in all other cases the <u>Assistant Director - Programmes, Performance and Governance Manager</u>
100 F(2)	Papers not open to Members	<del>Director of Strategy, Performance and Governance</del> <u>Chief Executive</u>
115(2)	Receipt of money due from Officers	<del>Director of Strategy, Performance and Governance</del> <u>Chief Financial Officer</u>
146(l)(a) & (b)	Declarations and certificates with regard to securities	<del>Director of Strategy, Performance and Governance</del> <u>Chief Financial Officer</u>

  

<b>Data Protection Act 1998</b>		
<b>Section of Act</b>	<b>Functions</b>	<b>Proper Officer</b>
	Data Protection Officer	<del>Senior Lead</del> <u>Specialist - Legal</u>

Local Government Finance Act 1988		
Section of Act	Functions	Proper Officer
S116	Notification to auditor of the date, time and place of a proposed meeting to consider a report under Section 114 and of any decision made at the meeting.	<del>Director of Strategy, Performance and Governance</del> <u>Chief Executive</u>

Crime and Disorder Act 1998		
Section of Act	Functions	Proper Officer
	For all matters relating to the Act	<del>Director of Service Delivery</del> <u>Deputy Chief Executive</u>

The Openness of Local Government Bodies Regulations 2014		
Regulation	Functions	Proper Officer
9	Disclosure of confidential information	<del>Director of Strategy, Performance and Governance</del> <u>Chief Executive</u>

- (i) In the event of any other notices being required to be served under any other Section of the Local Government Act 1972 or any other enactment, and not otherwise specified in the Council's Scheme of Delegation, the ~~Director of Strategy, Performance and Governance~~ Chief Executive is designated the "Proper Officer".
- (ii) The ~~Assistant Director - Programmes, Performance and Governance~~ Manager is recognised as the Officer responsible for giving public notice of the time and place of meetings pursuant to Section 100 A(6)(a).
- (iii) The ~~Assistant Director - Programmes, Performance and Governance~~ Manager in consultation with the "Proper Officer" as appropriate, is recognised as the officer responsible for provision of the Agendas and Reports for public inspection pursuant to Sections 100 B(1) and 100 E(1) of the Act.

#### Delegation to Officers – General (continued)

9. The authorisation of directed surveillance under the provisions of the **Regulatory and Investigatory Powers Act 2000** to the undermentioned Officers:
- ~~Director of Strategy, Performance and Governance~~ Deputy Chief Executive (as Senior Responsible Officer);
  - ~~Specialist Services Manager~~ Assistant Director – Customer Services and Operations;
  - Monitoring Officer.
10. **Emergency Action** – ~~Any Director~~ The Chief Executive or Deputy Chief Executive is authorised to act in emergencies, and where time permits in consultation with the Leader of the Council and Chairperson of appropriate Committee(s)

11. **Consultations** – ~~A Director~~The Chief Executive or Deputy Chief Executive, in liaison with the relevant Lead Member (Committee Chairperson or Leader of the Council), is authorised to respond to consultation documents where the period during which a response is required does not allow the matter to be reported to the relevant committee or where the consultation is of a predominantly technical nature.

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## PART 4 – ACCESS TO INFORMATION PROCEDURE RULES

Below highlights a proposed change paragraph 12.3 of Part 4 – Access to Information Procedure Rules.

### 12. MEMBER ACCESS TO INFORMATION

- 12.3 A Member has a common law right to be provided with or to inspect Council documents that it is reasonably necessary for them to see in order to carry out their duties as a Councillor. A Member wishing to exercise this ‘need to know’ right must inform the ~~Director of Strategy, Performance and Governance~~Chief Executive in writing of the document they wish to see together with information in support of their claim to have a ‘need to know’. The decision of the ~~Director of Strategy, Performance and Governance~~Chief Executive as to whether or not the right is demonstrated shall be final.