

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 24 May 2023
Report for: Decision
Report of: Director of Legal and Governance and Monitoring Officer

Report Title

DELEGATION OF FUNCTIONS

Summary

To confirm arrangements for the delegation of Council (non-Executive) and Executive functions and to obtain Council's agreement to amend the Constitution of the Council to incorporate these arrangements if necessary.

Recommendation(s)

- 1) That Council notes that Executive functions not covered by the Officers' Scheme of Delegation are delegated by the Leader of the Council as follows:
 - (a) functions are delegated to all individual Executive Members in accordance with the Executive Members' Scheme of Delegation, set out at Appendix 1;
 - (b) all other functions are delegated to the Executive.
- 2) That the changes to the Scheme of Delegation to Officers, as set out in Appendix 2, be approved.
- 3) That the Director of Legal and Governance be authorised, if necessary, to amend the Constitution of the Council in accordance with and as a consequence of this report and other decisions made by Council at this Annual Meeting.
- 4) That Council notes that changes may be required to the Officer Scheme of Delegation during the year and that the Director of Legal and Governance be authorised to amend the Constitution following consultation with the Leader and Chief Executive.

Contact person for access to background papers and further information:

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Background Papers:

Constitution of the Council

1. Background

- 1.1 It is the duty of the Council's Monitoring Officer to review the Constitution from time to time and to propose amendments to the Council. Generally amendments are proposed at the Council's Annual Meeting to reflect any changes which are proposed to the schemes of delegation for both Members and Officers, together with any further amendments which may be considered to be necessary for the efficient and effective management of the Council and Council services.

2. Executive Scheme of Delegation

- 2.1 The Leader of the Council determines how, and by whom, executive functions are carried out. The Leader has agreed a scheme of delegation of executive functions to the individual members of the Executive. The Executive Scheme of Delegation is set out in the Responsibility for Functions document at Appendix 1. This document forms Part 3 of the Council's Constitution and changes have been made to reflect the revised portfolios reported to Council under item 5 "Leader of the Council and Executive Arrangements".

3. Officer Scheme of Delegation

- 3.1 Changes to the Officer Scheme of Delegation may be recommended to ensure that the Constitution is in line with changed statutory regulations and current Council policy. The Officer Scheme of Delegation also forms Part 3 of the Council's Constitution. The Director of Legal and Governance has reviewed the scheme and changes are proposed to the Licensing; Strategic Housing and Housing Options; and Strategic Planning functions, as set out at Appendix 2.
- 3.2 There may need to be other changes throughout the year and it is recommended that these be dealt with by the Director of Legal and Governance following consultation with the Leader and Chief Executive.