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**Constitution Review Including the Scheme of Delegations**

Relevant Portfolio Holder	Councillor Sharon Harvey
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Procurement Services
Report Author Claire Felton	Job Title: Head of Legal, Democratic and Procurement Services Contact <a href="mailto:c.felton@bromsgroveandredditch.gov.uk">c.felton@bromsgroveandredditch.gov.uk</a> email: Contact Tel: (01527) 64252
Wards Affected	No specific ward relevance
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An Effective and Sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**Council is asked to RESOLVE that:-**

- 1) The current version of the Officer Scheme of Delegations is agreed as set out at Appendix 1.**

**2. BACKGROUND**

- 2.1 The Council is required to review its scheme of delegations on an annual basis. This report presents the current scheme for noting.

**3. OPERATIONAL ISSUES**

Scheme of Delegations

- 3.1 The Council's Constitution currently requires that the Scheme of Delegations be approved by Members at the Annual Meeting of the Council.
- 3.2 The Scheme of Delegations is the part of the Constitution that gives authority for certain decisions to be delegated from Council, the Executive Committee or other Committees to certain specified officers. It sets out the decisions which are delegated by Council to officers and the decisions which are delegated by the Executive Committee / Leader to officers. In relation to certain regulatory decisions, the

delegation is from Council to the relevant Committee, namely Planning Committee or Licensing Committee.

- 3.3 The Scheme of Delegations is regularly altered and updated to reflect changes in the operation of the Council and changes to legislation.
- 3.4 Some new delegations were agreed by Members in the 2024/25 municipal year. These have been highlighted in Appendix 1 to the report.
- 3.5 Further changes have been made by the Monitoring Officer in accordance with the delegation that currently exists to amend the scheme to reflect changes in legislation, job titles and reallocation of functions. They do not extend the delegations.
- 3.6 No new delegations are requested in this report, which is instead designed to provide Members with an opportunity to note existing officer delegations.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications to this report.

#### **5. LEGAL IMPLICATIONS**

- 5.1 Review and revision of the Constitution is governed by Article 15 of the Constitution.
- 5.2 Section 101 of the Local Government Act 1972 (as amended) gives a general power to local authorities to discharge functions through officers. Local Authorities are required by the same Act to maintain a list of these, which is referred to as the Scheme of Delegation. This sets out those powers of the Council which can be carried out by officers of the Council.

#### **6. OTHER - IMPLICATIONS**

##### **Relevant Strategic Purpose**

- 6.1 The action proposed in this report supports the strategic purpose “an effective and sustainable Council”.
- 6.2 A report in respect of the current Scheme of Delegations is considered at the Annual Council meeting, in line with requirements set out in Article 15 of the Council’s constitution. This provides an opportunity

for Members to review those delegations to ensure that they continue to meet the needs of the Council and communities it serves.

**Climate Change Implications**

- 6.3 There are no specific climate change implications.

**Equalities and Diversity Implications**

- 6.5 There are no specific equality and diversity implications.

**7. RISK MANAGEMENT**

- 7.1 The main risks associated with the details included in this report are failure to comply with governance requirements which may expose the Council to the risk of challenge by way of judicial review or which may result in awards of damages and costs against the Council and loss of reputation.

**8. APPENDICES and BACKGROUND PAPERS**

Appendices

Appendix 1 – The Officer Scheme of Delegations.

Background papers

The Council's constitution