

**BRIGHTON & HOVE CITY COUNCIL**

**GOVERNANCE COMMITTEE**

**2.00PM 28 SEPTEMBER 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Oxley (Chairman), Simpson (Deputy Chairman), Brown, Elgood, Mears, Mitchell, Randall, Smith, West and Young

**PART ONE**

**30. CHANGES TO THE SCHEME OF DELEGATIONS TO OFFICERS**

- 30.1 The Committee considered a report from the Acting Director of Strategy & Governance regarding Changes to the Scheme of Delegations to Officers.
- 30.2 The Chief Executive, Mr Barradell, introduced the report and stated that the implementation of these changes was part of the restructuring process that the Council was current undertaking. The Strategic Directors had now been appointed with the first to arrive on 1 October 2010.
- 30.3 The Acting Director of Strategy & Governance, Mr Ghebre-Ghiorghis, spoke to the technical aspects of the report and stated that the new scheme was needed to reflect the officer changes under Intelligent Commissioning. There was no change to Member level powers aside from some changes to the Cabinet Member functions relating to travellers. The key point to note was that there would be no changes to the Member/Officer balance of power and the powers of the Committees and the Cabinet would be maintained. The Chief Executive would deal with any issues that arose during the transitional phase.
- 30.4 Councillor Mears highlighted that a new Member's directory was being produced, which would give contact details and an outline for the new management structure, and would be easy to use. Mr Ghebre-Ghiorghis also noted that a Member's seminar was being arranged to provide a more clear understanding of arrangements under Intelligent Commissioning.
- 30.5 Councillor Elgood asked where the responsibility fell for decisions on the scheme of delegations. The Chairman replied that elements of it would be dealt with at the Governance Committee and other elements at Cabinet Meetings.
- 30.6 Councillor Elgood asked whether changes to the Constitution should go to Full Council. Mr Ghebre-Ghiorghis stated that article 15 of the Constitution sets out how amendments were dealt with. Changes to officer delegations relating to

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- Council functions were dealt with by the Governance Committee and changes to officer delegations relating to executive functions were decided by Cabinet.
- 30.6 Councillor Elgood asked if the changes to the functions of Cabinet Member Meetings and Scrutiny Committees would go to Full Council and the Chairman replied that the changes are limited to Officer delegations and do not include Member-level delegations. The Acting Director of Strategy & Governance clarified that the tables circulated were only for information to show the relationship between Lead Member and Strategic Director roles and do not imply any changes at member level.
- 30.7 Councillor Mitchell stated that she did not feel able to take part in the voting on this item as the changes had already been decided by Cabinet first, and she did not feel that the Governance Committee had been consulted at the beginning of the process.
- 30.8 **RESOLVED –**
- (1) That the Governance Committee approves the following:
    - (i) That the amended Scheme of Delegations to Officers as set out in Appendix 1, to the extent that it relates to Council functions, be agreed;
    - (ii) That the amended Scheme of Delegations (in so far as it relates to Council functions) comes into force on 1<sup>st</sup> November 2010;
    - (iii) That the services provided by the Delivery Units on 1<sup>st</sup> November 2010 be deemed to have been commissioned and therefore authorised. This shall be without prejudice to the power to review the services at any time as part of the Intelligent Commissioning cycle;
    - (iv) That the Chief executive be granted delegated powers to take all steps necessary or incidental to the implementation of the changes, including the power to make transitional arrangements;
    - (v) That the Head of Law be authorised to make any necessary or consequential amendments to the constitution to reflect the changes.
  - (2) That the Governance Committee recommends to Cabinet:
    - (i) That the amended Scheme of Delegations to Officers as set out in Appendix 1, to the extent that it relates to Executive functions, be agreed;
    - (ii) That the amended Scheme of Delegations (in so far as it relates to Executive functions) comes into force on 1<sup>st</sup> November 2010;
    - (iii) That the services provided by the Delivery Units on 1<sup>st</sup> November 2010 be deemed to have been commissioned and therefore authorised. This shall be without prejudice to the power to review the services at any time as part of the Intelligent Commissioning cycle;

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- (iv) That the functions of the Council regarding Travellers and Gypsies be transferred from the Cabinet Member for Environment to the Cabinet Member for Housing;
- (v) That the Chief Executive be granted delegated powers to take all steps necessary or incidental to the implementation of the changes, including the power to make transitional arrangements;
- (vi) That the Head of Law be authorised to make any necessary or consequential amendments to the constitution to reflect the changes.

