

APPENDIX 6

Area of Review	Proposal and Rationale	Sections of the Constitution to be revised												
Scheme Of Delegation To Officers	<p>A Revised Scheme of Delegation to Officers and is necessary as a consequence of the Strategic Alliance Management Team (SAMT) restructure.</p> <p>The amendments and additions to the Scheme are set out below:</p> <table border="1" data-bbox="607 528 1624 1383"> <thead> <tr> <th data-bbox="607 528 1115 603">Amendments to the Delegation Scheme</th> <th data-bbox="1115 528 1624 603">Rationale</th> </tr> </thead> <tbody> <tr> <td data-bbox="607 603 1115 751">The majority of changes have been replaced the old posts with the title of the new posts carrying out the relevant functions.</td> <td data-bbox="1115 603 1624 751">To implement the new Strategic Alliance Management Team (SAMT) structure.</td> </tr> <tr> <td data-bbox="607 751 1115 975">The wording of the delegation to the Joint Chief Executive Officer regarding the power to suspend or revoke a taxi driver's licence has been amended</td> <td data-bbox="1115 751 1624 975">To reflect changes to the Taxi/Licensing Policy</td> </tr> <tr> <th data-bbox="607 975 1115 1050">Additions to the Delegation Scheme</th> <th data-bbox="1115 975 1624 1050">Rationale</th> </tr> <tr> <td data-bbox="607 1050 1115 1310">Carrying out Rights of Way functions (including the diversion of footpaths) - Strategic Director - Place</td> <td data-bbox="1115 1050 1624 1310">This has been previously carried out under a general delegation, but it is considered clearer and more appropriate to include this in the scheme as a specific delegation.</td> </tr> <tr> <td data-bbox="607 1310 1115 1383"><i>Neighbourhood Planning</i></td> <td data-bbox="1115 1310 1624 1383">This would only be exercised by an Officer when time does now</td> </tr> </tbody> </table>	Amendments to the Delegation Scheme	Rationale	The majority of changes have been replaced the old posts with the title of the new posts carrying out the relevant functions.	To implement the new Strategic Alliance Management Team (SAMT) structure.	The wording of the delegation to the Joint Chief Executive Officer regarding the power to suspend or revoke a taxi driver's licence has been amended	To reflect changes to the Taxi/Licensing Policy	Additions to the Delegation Scheme	Rationale	Carrying out Rights of Way functions (including the diversion of footpaths) - Strategic Director - Place	This has been previously carried out under a general delegation, but it is considered clearer and more appropriate to include this in the scheme as a specific delegation.	<i>Neighbourhood Planning</i>	This would only be exercised by an Officer when time does now	The Scheme of Delegation to Officers is in Part 4 of the Constitution – currently Pages 168-188.
Amendments to the Delegation Scheme	Rationale													
The majority of changes have been replaced the old posts with the title of the new posts carrying out the relevant functions.	To implement the new Strategic Alliance Management Team (SAMT) structure.													
The wording of the delegation to the Joint Chief Executive Officer regarding the power to suspend or revoke a taxi driver's licence has been amended	To reflect changes to the Taxi/Licensing Policy													
Additions to the Delegation Scheme	Rationale													
Carrying out Rights of Way functions (including the diversion of footpaths) - Strategic Director - Place	This has been previously carried out under a general delegation, but it is considered clearer and more appropriate to include this in the scheme as a specific delegation.													
<i>Neighbourhood Planning</i>	This would only be exercised by an Officer when time does now													

APPENDIX 6

Area of Review	Proposal and Rationale		Sections of the Constitution to be revised
	<p>Determining action on a neighbourhood plan following receipt of the Examiner’s report (including sending it for referendum). - Strategic Director - Place</p>	<p>allow for the matter to be submitted to Executive. There are specific timescales for each stage in the Neighbourhood planning process. The Council must determine the action to take on a Neighbourhood Plan proposal within 5 weeks of the receipt of the Examiner’s Report.</p>	
	<p><i>Neighbourhood Planning</i> Making the Neighbourhood Plan after a successful referendum result. - Strategic Director - Place</p>	<p>After a successful referendum result, a Neighbourhood Plan must be taken into account in all development decisions immediately, however there is still a legal requirement that the Plan be ‘Made’ as a formality. Recent practice has been that this function has been delegated to the Joint Chief Executive by Executive when it has considered the Examiner’s report, however it is proposed that this be included as a specific delegation to the Joint Strategic Director – Place to avoid the need for this to be agreed on a case by case basis.</p>	

APPENDIX 6

Area of Review	Proposal and Rationale		Sections of the Constitution to be revised
	<p>Approving Disabled Facilities Grants and other applications/ functions under Housing Grants, Construction and Regeneration Act 1996, the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and related legislation. - Joint Strategic Director - Place</p>	<p>This has been previously carried out under a general delegation, but it is considered clearer and more appropriate to include this in the scheme as a specific delegation.</p>	
	<p>Delegation of authorisation of persons to collect, recover, prosecute or appear on behalf of the Council in any legal proceedings. - Joint Chief Executive Officer Monitoring Officer</p>	<p>Contained with the Function Scheme but more appropriate to include in specific delegations to the Joint Chief Executive and the Monitoring Officer in the Delegation Scheme.</p>	
	<p>Two additions to the general powers delegated to Joint Strategic Directors and Joint Heads of Service (at paragraph 9) have also been made, which are not new powers but cross reference powers contained with the Functions Scheme and arising from the Financial Procedure Rules.</p>	<p>To ensure all delegated powers with the Constitution are referred to within the Scheme of Delegation Scheme</p>	

APPENDIX 6

Area of Review	Proposal and Rationale	Sections of the Constitution to be revised
	<p>The current Scheme of Delegation for Officers has also been adopted by North East Derbyshire District Council and these proposals to change will also be submitted to the Standards Committee and Council there for approval.</p> <p>The revised Scheme of Delegation to Officers is attached as Appendix 7.</p>	