

Non-Executive Report of the: <b>Council</b> Wednesday, 19 January 2022	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Janet Fasan, Director of Legal and Monitoring Officer	<b>Classification:</b> Open (Unrestricted)
<b>Updates to the Mayor's Executive Scheme of Delegation</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	(All Wards);

### Executive Summary

The Mayor's Executive Scheme of Delegation is set out in Part B Section 26 of the Council's Constitution. The document sets out the various delegations the Mayor can make in respect of Executive Decision Making as well as the procedures for the operation of decision making (such as how Cabinet meetings are organised).

Each year the Annual Meeting of Council notes a report setting out the Mayor's Executive Scheme as it stands on that date. The requirement to report to Council is set out in the Council's Procedure Rules, also in Part B of the Constitution.

Following a report at the General Purposes Committee held on 4 October 2021, it was agreed to amend the Council's Procedure Rules to state that whenever the Mayor made changes to the Executive Scheme of Delegation those changes must be brought for noting to the next available Council meeting.

This report therefore asks Council to note a number of recent changes made to the Executive Scheme of Delegation.

### Recommendations:

The Council is recommended to:

1. Note the changes to the Executive Scheme of Delegations.

### 1. REASONS FOR THE DECISIONS

- 1.1 Under the Constitution, a report is required to present to Council any changes agreed by the Mayor to the Executive Scheme of Delegations. This report is for noting.

## **2. ALTERNATIVE OPTIONS**

- 2.1 This is a noting report. There are no alternatives to receiving this report as it is required by the Constitution.

## **3. DETAILS OF THE REPORT**

- 3.1 The Mayor's Executive Scheme of Delegation is set out in Part B Section 26 of the Council's Constitution. The document sets out the various delegations the Mayor can make in respect of Executive Decision Making as well as the procedures for the operation of decision making (such as how Cabinet meetings are organised).
- 3.2 Each year the Annual Meeting of Council notes a report setting out the Mayor's Executive Scheme as it stands on that date. The requirement to report to Council is set out in the Council's Procedure Rules, also in Part B of the Constitution.
- 3.3 Following a report at the General Purposes Committee held on 4 October 2021, it was agreed to amend the Council's Procedure Rules to state that whenever the Mayor made changes to the Executive Scheme of Delegation those changes must be brought for noting to the next available Council meeting.
- 3.4 It should be noted that any changes made to the Executive Scheme of Delegations come into effect when the update is accepted by the Monitoring Officer, it does not have to wait for the noting report to Council. The Council does not have any authority to make changes to the Executive Scheme of Delegations.
- 3.5 The above procedure to notify Council of changes to the Executive Scheme of Delegations does not apply to changes to appointments to the Cabinet (either the appointments themselves or the portfolios assigned).

### **Changes made**

- 3.6 The changes made to the Executive Scheme of Delegations as shown in Appendix 1 relate to the operation of the Cabinet and in particular those invited to attend and participate and how that participation takes place.

## **4. EQUALITIES IMPLICATIONS**

- 4.1 None specific to this report.

## **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
  - Data Protection / Privacy Impact Assessment.

- 5.2 None specific to this report.

## **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 There are no direct financial implications arising from this report.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 Section 9P of the Local Government Act 2000 (as amended) requires the Council to prepare and keep up to date a constitution.
- 7.2 Under the Council's Constitution, the Mayor has delegated power to make amendments to the Executive Scheme of Delegations.
- 7.3 However, the Council's Procedure Rules require that any such changes (with the exception of Cabinet Membership changes) are noted at the next available meeting of Council.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- The reports to the Annual Meetings of Council setting out the Executive Scheme of Delegations.

### **Appendices**

- Appendix 1 – updated Executive Scheme of Delegations.

### **Local Government Act, 1972 Section 100D (As amended)**

### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- None

**Officer contact details for documents:**

N/A