

**EXECUTIVE SCHEME OF DELEGATION**

**1. PURPOSE**

- 1.1 The purpose of this Executive Scheme of Delegation is to:-
- be clear about who can make which executive decisions including Key Decisions;
  - facilitate the smooth running of Council business;
  - ensure that the Mayor is able to provide effective strategic leadership for the overall policy direction of the Council and to promote partnership working with other agencies; and that officers take responsibility for operational matters and policy implementation

**2. THE CONSTITUTION**

- 2.1 Once presented by the Mayor to the Annual Council Meeting or to the Monitoring Officer, this Executive Scheme of Delegation will form part of the Council's Constitution and will be appended to it. Its provisions apply alongside the Rules of Procedure and Access to Information provisions included in the Constitution.

**3. AMENDMENTS TO THE EXECUTIVE SCHEME OF DELEGATION**

- 3.1 This Scheme of Delegation remains in force for the term of office of the Mayor unless and until it is amended or revoked by the Mayor in accordance with Part 4.4 of the Constitution.

**4. NON-EXECUTIVE DECISIONS**

- 4.1 No delegated power in this Executive Scheme of Delegation applies to any decision that relates to a matter that is not an Executive function either by law or by the allocation of local choice functions under the Council's Constitution.

**5. THE COMPOSITION OF THE EXECUTIVE**

- 5.1 The Executive shall consist of ten people, namely the Mayor and nine Councillors as set out below:-

<b>Name</b>	<b>Ward</b>	<b>Portfolio</b>
Mayor Lutfur Rahman	N/A	Mayor
Councillor Ohid Ahmed	East India & Lansbury	Deputy Mayor
Councillor Rofique Ahmed	Mile End & Globe Town	Cabinet Member for Regeneration
Councillor Shahed Ali	Whitechapel	Cabinet Member for Environment

Councillor Abdul Asad	Whitechapel	Cabinet Member for Health and Wellbeing
Councillor Alibor Choudhury	Shadwell	Cabinet Member for Resources
Councillor Shafiqul Haque	St. Katharine's & Wapping	Cabinet Member for Jobs and Skills
Councillor Rabina Khan	Shadwell	Cabinet Member for Housing
Councillor Rania Khan	Bromley-by-Bow	Cabinet Member for Culture
Councillor Oliur Rahman	St Dunstan's & Stepney Green	Cabinet Member for Children's Services

## **6. DELEGATIONS TO THE EXECUTIVE**

- 6.1 The Mayor has not delegated any decision-making powers to the Executive acting collectively.
- 6.2 The Mayor has not delegated any decision-making powers to any of the Councillors appointed by the Mayor to the Executive acting individually.
- 6.3 The Mayor may, in accordance with Part 4.4 of the Council's Constitution, appoint such committees of the Executive as he considers appropriate from time to time, but he does not appoint any such committees at this time.

## **7. DELEGATIONS TO OFFICERS**

- 7.1 The Mayor has delegated to officers decision making powers in relation to Executive functions as set out at Parts 3 and 8 of the Council's Constitution.

## **8. OTHER DELEGATIONS**

- 8.1 The Mayor has not delegated any powers to any area committee, or to any ward Councillor in accordance with s.236 of the Local Government and Public Involvement in Health Act 2007.
- 8.2 The Mayor has delegated powers to joint arrangements with other local authorities as set out in Article 11 of the Council's Constitution
- 8.3 Subject to 8.2 above, the Mayor has not delegated any powers to any other local authority.

**PROCESS FOR EXECUTIVE DECISION MAKING BY THE MAYOR**

1. Where an Executive decision, including a Key Decision, falls to be made and either:-
  - (i) authority to make that decision has not been delegated by the Mayor under this Executive Scheme of Delegation; or
  - (ii) authority has been delegated but the person or body with delegated powers declines to exercise those powers; or
  - (iii) authority has been delegated but the Mayor nevertheless decides to take the decision himself,

the decision shall be made by the Mayor individually, after consultation with the Chief Executive, the Monitoring Officer, the Corporate Director, Resources and such other Corporate Director(s) or Cabinet Member(s) the Mayor may determine.
2. Executive decisions (including Key Decisions) to be taken by the Mayor in accordance with paragraph 1 above shall either be taken:-
  - (a) at a formal meeting of the Executive, notice of which has been given in accordance with Part 4.4 of the Constitution and to which the Access to Information Rules at Part 4.2 of the Constitution shall apply; or
  - (b) in accordance with the procedure at 5 below.
3. In the case of a decision taken at a formal meeting of the Executive, the Mayor will take the decision having received written and oral advice from appropriate officers and consulted those members of the Executive present. In the event that a meeting of the Executive is not quorate, the Mayor may still take any necessary decisions having consulted any Executive members present. All Mayoral decisions taken at a formal meeting of the Executive shall be recorded in the minutes of the meeting.
4. The Cabinet Meeting is not authorised to exercise the Mayor's powers in the absence of the Mayor. If the Mayor is unable to act for any reason, and only in those circumstances, the Deputy Mayor is authorised to exercise the Mayor's powers.
5. The Mayor may at his discretion make a decision in relation to an Executive function, including a Key Decision, alone and outside the context of a meeting of the Executive. In relation to any decision made by the Mayor under this provision:-
  - (i) The decision may only be made following consideration by the Mayor of a full report by the relevant officer(s) containing all relevant information, options and recommendations in the same format as would be required if the decision were to be taken at a meeting of the Executive;

- (ii) In the case of a Key Decision as defined in Article 13 of the Constitution, the provisions of the Access to Information Procedure Rules in relation to prior publication on the Forward Plan, and the provisions of the Overview and Scrutiny Procedure Rules in relation to call-in, including the rules regarding urgent decisions, shall apply; and
- (iii) The decision shall not be made until the Mayor has confirmed his agreement by signing a Mayoral Decision Proforma (example attached) which has first been completed with all relevant information and signed by the relevant Chief Officers.

6. All Mayoral decisions taken in accordance with paragraph 5 above shall be:-

- (i) Recorded in a log held by the Service Head, Democratic Services and available for public inspection; and
- (ii) Published on the Council's website;

save that no information that in the opinion of the Assistant Chief Executive (Legal Services) is 'exempt' or 'confidential' as defined in the Council's Access to Information Procedure Rules shall be published, included in the decision notice or available for public inspection.

**LONDON BOROUGH OF TOWER HAMLETS**  
**MAYORAL DECISION PROFORMA**

**Mayoral Decision Log No:** *(To be inserted by Democratic Services after CE's approval given)*

**Title:** *(To be inserted by Chief Officer seeking the decision)*

**Is this a Key Decision: Yes / No** *(Report author to delete as applicable)*

**UNRESTRICTED / RESTRICTED** *(Report author to delete as applicable and if restricted, to state which of the exempt/confidential criteria applies)*

**EXECUTIVE SUMMARY**

*(To be completed by Chief Officer seeking the decision)*

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Full details of the decision sought, including reasons for the recommendations; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Assistant Chief Executive (Legal Services); implications for One Tower Hamlets; Risk Assessment; Background Documents; and other relevant matters are set out in the attached report.

**DECISION**

*(Recommendations of the Chief Officer, as set out in the attached report, to be entered here)*

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**APPROVALS**

**1. Corporate Director**

I approve the attached report and recommendations above for submission to the Mayor.

Signed ..... Date .....

**2. Chief Finance Officer**

I have been consulted on the above recommendations and my comments are included in the attached report.

Signed ..... Date .....

**3. Assistant Chief Executive (Legal Services)**

I have been consulted on the above recommendations and my comments are included in the attached report.

(For Key Decision only – delete as applicable)

I confirm that this decision:-

(a) has been published in advance on the Council’s Forward Plan OR

(b) is urgent and subject to the ‘General Exception’ or ‘Special Urgency’ provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed ..... Date .....

**4. Chief Executive**

The recommendations above are consistent with the Council’s agreed Budget and Policy Framework and will contribute to the achievement of the authority’s Strategic Plan.

Signed ..... Date .....

**5. Mayor**

I agree the recommendations above for the reasons set out in the attached report.

Signed ..... Date .....