

Non-Executive Report of the:  <b>Council</b>  17 May 2023	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Janet Fasan, Director of Legal and Monitoring Officer	<b>Classification:</b> Unrestricted
<b>Mayor's Cabinet and Executive Arrangements</b>	

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

### **Executive Summary**

The Mayor has responsibility for agreeing arrangements for the discharge of executive decision-making functions. This includes agreeing membership of the Cabinet and Cabinet Sub-Committees (if any) as well as rules for Individual Member Decision Making and wider executive schemes of delegation.

This information is set out in the Executive Scheme of Delegation which will then also be included in the Council's Constitution.

The Council Procedure Rules require that the Executive Scheme of Delegation is presented to the Annual Meeting of Council for noting.

The Mayor may make further changes to the scheme at any time during the year by notifying the Monitoring Officer. Any such changes (except for changes to Cabinet Membership) will be presented to the next available Ordinary Council meeting for noting.

### **Recommendations:**

The Council is recommended to:

1. Note the Mayor's Executive Scheme of Delegation.

#### **1. REASONS FOR THE DECISIONS**

- 1.1 The Council's Procedure Rules require that the Executive Scheme of Delegation is presented to Council for noting.

#### **2. ALTERNATIVE OPTIONS**

- 2.1 Council has no powers to amend the Executive Scheme of Delegation.

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

- 3.1 The Mayor has responsibility for agreeing arrangements for the discharge of executive decision-making functions. This includes agreeing membership of the Cabinet and Cabinet Sub-Committees (if any) as well as rules for Individual Member Decision Making and wider executive schemes of delegation.
- 3.2 This information is set out in the Executive Scheme of Delegation which is also then included in the Council's Constitution.
- 3.3 The Council Procedure Rules require that the Executive Scheme of Delegation is presented to the Annual Meeting of Council for noting.
- 3.4 The Mayor may make further changes to the scheme at any time during the year by notifying the Monitoring Officer. Any such changes (except for changes to Cabinet Membership) will be presented to the next available Ordinary Council meeting for noting.
- 3.5 The Executive Scheme of Delegation will be tabled as an Appendix to this cover report.

### **4. EQUALITIES IMPLICATIONS**

- 4.1 None specific to this noting 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 noting report.

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

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

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

- 7.1 The Council's Constitution Council Procedure Rules at Part B, Section 26, states that the Council's Annual General Meeting will receive a report noting the Executive Mayor's arrangements in respect of Executive Decision Making i.e the Scheme of Delegation.
- 7.2 The Executive Procedure Rules at Part B Section 29 of the Council's Constitution provide for the Mayor to delegate specific executive functions to:-
- the Executive as a whole (the Cabinet);
  - a committee of the Executive or an individual member of the Executive;
  - an officer;
  - an area committee;
  - a ward councillor (only in accordance with s.236 of the Local Government and Public Involvement in Health Act 2007);
  - joint arrangements; or
  - another local authority
- 7.3 The Mayor may amend or revoke any delegation of an executive function at any time.
- 7.4 The Executive Scheme of Delegation must contain the following information in so far as it relates to executive functions:
- (a) The extent of any authority delegated to any individual Executive Member or ward councillor including details of the limitation on their authority;
  - (b) The terms of reference and constitution of such Executive Committees as the Mayor appoints and the names of Executive Members appointed to them;
  - (c) The nature and extent of any delegation of executive functions to area Committees, any other authority or any joint arrangements and the names of those Executive Members appointed to any joint Committee for the coming year; and
  - (d) The nature and extent of any delegation of executive functions to officers not already specified in Part B of the Constitution, with details of any limitation on that delegation and the title of the officer to whom the delegation is made.

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

#### **Linked Report**

- None.

#### **Appendices**

- Appendix 1 – Executive Scheme of Delegation (to be tabled)

**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