

**ONESOURCE
JOINT COMMITTEE**
28 July 2017

Subject Heading:

**Amendment to the oneSource Scheme
of Delegation**

Report Author and contact details:

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Financial summary:

Nil

Is this a Key Decision?

Not Applicable

SUMMARY

This report seeks the committee's approval for amendments to the attached consolidated Scheme of Delegation to Officers.

RECOMMENDATIONS

For the reasons set out in this report, the Joint Committee is asked to agree amendments to the Scheme of Delegation at Appendix A.

REPORT DETAIL

1. Background

- 1.1 The oneSource model is to delegate the powers to operate the shared services from both authorities to the Joint Committee. The Joint Committee then agrees a Scheme of Delegation of those powers to senior officers working for oneSource. Where further delegation of powers to frontline services is required, the Managing Director and Directors agree their own schemes of delegation.

- 1.2 This ensures the exercise of services as close to the point of delivery as possible and those officers exercising statutory powers have the necessary delegated authority to do so.
- 1.3 A report is due to be presented to Newham's Mayoral Proceedings on 20 July 2017. The report recommends amendment to the scheme of Delegation in respect of property acquisitions and disposals, with specific changes to the delegations in respect of the leasing of property to the voluntary and community sector, in consultation with the appropriate lead member.
- 1.4 Subject to approval at Mayoral Proceedings, the Joint Committee will be required to amend the scheme of delegation to officers in oneSource. Details of the amendments are shown in Appendix A (under Section F).

REASONS AND OPTIONS

2. Reasons for the decision:

- 2.1 To ensure the effective and lawful operation of oneSource activities, it is essential that the Scheme of Delegation be reviewed and updated as necessary.

3. Other options considered:

- 3.1 Not applicable.

IMPLICATIONS AND RISKS

Financial implications and risks

There are no financial implications to the proposals. Decisions are still subject to the financial and other regulations of participating authorities.

Legal implications and risks

The Joint Committee has statutory power to delegate its functions to officers.

For non-executive powers, Under Section 101(5) of the Local Government Act 1972 two or more authorities may discharge any of their functions by a joint committee of their functions by a joint committee of theirs. This empowers the Councils to delegate non-executive powers to the Joint Committee and s.101 also provides that the Joint Committee may delegate powers to officers.

For executive powers, section 9EB of the Local Government Act 2000 (as amended) and Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 provide the power to delegate executive functions to a joint committee set up under section 101(5) of the Local Government Act 1972. Regulation 11(8) provides that a Joint Committee may arrange for the discharge of any of its function by an officer of one of the authorities concerned.

For information, most of the functions delegated are executive powers and the Scheme will be kept under review.

Human Resources implications and risks:

The Scheme of Delegation ensures officers have the necessary statutory authority to carry out their jobs.

Equalities implications and risks:

There are no direct equalities implications of this decision.

BACKGROUND PAPERS

None

APPENDICES

A – Proposed revisions to the Joint Committee Scheme of Delegation to Officers for approval