



## Policy and Resources Committee– 29 September 2011

### Change to the Constitution – Addition to the Scheme of Delegation re Government Consultation

#### Purpose of report

To seek inclusion of delegated authority to the Chief Executive and Executive Director in consultation with the Leader and/or Deputy Leader to approve the submission of responses to central government consultations in certain circumstances.

#### Attachment(s)

None

#### 1.0 Background

1.1 In recent years the number of central government consultations in relation to local government activity and legislation has increased significantly whilst in some cases the timescale for response has decreased. Some of the consultations propose changes which do not create the need for East Northamptonshire Council to make a specific response, either because the impact is minimal or sector-wide bodies will make appropriate responses. Others are of a very operational/technical nature so officers are best placed to respond.

1.2 However, there are some where either the potential impact on East Northamptonshire Council is significant, or where the officers' recommended response requires a political steer. In such cases, wherever possible, the proposed consultation response will be brought to the appropriate committee. Where this is not possible or appropriate, e.g. because of a short time-frame or highly technical nature of the response, it is proposed that delegated authority be given to the Chief Executive and Executive Director, in consultation with the Leader and/or Deputy Leader of the council, to approve the submission of the response on behalf of the council.

#### 2.0 Proposed Change

2.1 It is proposed that the scheme of delegation be amended as follows:

- Authority is given to the Chief Executive and Executive Director, in consultation with Leader and/or Deputy Leader, to approve the submission of responses to government consultations where:
  - a) the time frame is too short to permit consideration by an appropriate council committee OR
  - b) the level of technical detail is high and political approval is considered appropriate because of the thrust of the response OR
  - c) the consultation response is a joint response by a number of authorities so the opportunity for changing the response are limited and the issue is whether East Northamptonshire Council should endorse the proposed response or not.

#### 3.0 Equality and Diversity Implications

3.1 There are no known equalities issues arising from this report. The equality and diversity impacts of any changes proposed in individual consultations will be considered as part of any response by this council.

#### 4.0 Legal Implications

4.1 There are no legal implications arising from this report. Any legal implications arising from changes proposed in individual consultations will be considered as part of any response by this council.

#### 5.0 Risk Management

5.1 There are no significant risks arising from this report. Any risks created by changes arising from individual consultations will be considered as part of any response by this council, and where/when appropriate entered in the council's risk register.

#### 6.0 Financial Implications

6.1 There are no financial implications arising from this report. Any financial implications created by changes arising from individual consultations will be considered as part of any response by this council, and when/if appropriate including in the budget preparation or monitoring processes

#### 7.0 Corporate Outcomes

7.1 The following outcomes are applicable:-

- Effective Management
- Strong Community Leadership

#### 8.0 Recommendation

8.1 The committee is requested to recommend that full council approves the addition of the wording in paragraph 2.1 to the Council's Scheme of Delegation.  
*[Reason – to ensure that council is able to respond to government consultations where appropriate]*

<b>Legal</b>	Power: Local Government Acts 1972 and 2000; The Local Authorities (Alternative Arrangements (England) Regulations 2001				
	Other considerations: Council's Constitution				
<b>Background Papers:</b>	None				
<b>Person Originating Report:</b>	Sharn Matthews, Executive Director <a href="mailto:smatthews@east-northamptonshire.gob.uk">smatthews@east-northamptonshire.gob.uk</a>				
<b>Date:</b>	19 September 2011				
<b>CFO</b>		<b>MO</b>		<b>CX</b>	

(Committee Report Normal Rev. 22)