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<b>Report To:</b>	<b>Inverclyde Council</b>	<b>Date:</b>	<b>5 December 2019</b>
<b>Report By:</b>	<b>Head of Legal &amp; Property Services</b>	<b>Report No:</b>	<b>GM/LP/141/19</b>
<b>Contact Officer:</b>	<b>Gerard Malone</b>	<b>Contact No:</b>	<b>01475 712710</b>
<b>Subject:</b>	<b>Administrative Arrangements: Committee Remits and Delegations</b>		

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## **1.0 PURPOSE**

- 1.1 The purpose of this report is to request the Council to make necessary changes to the Scheme of Administration and Scheme of Delegation (Officers).

## **2.0 SUMMARY**

- 2.1 On an operational basis, the Corporate Management Team recently considered two separate items relating to the Homelessness Service and More Choices, More Chances which require, in respect of Homelessness, changes to the Scheme of Administration and, in respect of More Choices, More Chances, changes to both the Scheme of Administration and Scheme of Delegation (Officers).

## **3.0 RECOMMENDATIONS**

- 3.1 The Council is asked to approve the changes to the Scheme of Administration as set out in Appendix 1 to the report.
- 3.2 The Council is asked to approve the changes to the Scheme of Delegation (Officers) as set out in Appendix 2.

**Gerard Malone**  
**Head of Legal & Property Services**

## 4.0 BACKGROUND

- 4.1 The Council's key governance documents are regularly reviewed to ensure that these reflect the Council's approved structures.
- 4.2 Authority is sought in this report for the following changes:

### Health & Social Care Committee

(a) The Head of Environmental & Public Protection is responsible for administering the Council's role as Strategic Housing Authority and for reporting to the Environment & Regeneration Committee on this function. However, the responsibility for administering and monitoring the Homelessness function is the operational remit of the Corporate Director (Chief Officer), Inverclyde Health & Social Care Partnership and, following Corporate Management Team review, it is proposed to specify this responsibility by including such reference in the remit of the Health & Social Care Committee.

(b) The Social Work Complaints Review Committee (SWCRC) has been replaced by a new model of complaints review involving consideration by the Scottish Public Sector Ombudsman (SPSO) and therefore reference to the SWCRC requires to be deleted from the remit of the Health & Social Care Committee.

### Environment & Regeneration Committee

In order to provide a better focus on transitions for young people in relation to the More Choices, More Chances Programme, the Corporate Management Team recommends that the remit of the Environment & Regeneration Committee be amended to incorporate within its remit support to young people in their transition from compulsory education. There also requires to be an addition to the Scheme of Delegation (Officers) to specify that the operational responsibility for this is within the powers of the Head of Regeneration & Planning.

- 4.3 These changes have been incorporated within the updated Scheme of Administration and Scheme of Delegation (Officers) set out in Appendices 1 and 2 of the report respectively and are shown in italicised text (and red on the electronic version).

## 5.0 IMPLICATIONS

### 5.1 Finance

There are no financial implications.

#### Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A	N/A	N/A	N/A	N/A	N/A

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments
N/A	N/A	N/A	N/A	N/A	N/A

## 5.2 Legal

The legal implications are as set out in the report.

## 5.3 Human Resources

There are no HR implications arising from this report.

## 5.4 Equalities

### Equalities

(a) Has an Equality Impact Assessment been carried out?

	YES
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

## 5.5 Repopulation

There are no repopulation implications arising from this report.

## 6.0 CONSULTATIONS

6.1 This report has been endorsed by the Corporate Management Team.

## 7.0 BACKGROUND PAPERS

7.1 None.

**Extract of Scheme of Administration****7.3.2 Relationships with Key Partnerships**

To oversee the Council's relationships with the following agencies and partnerships:

- Audit Scotland
- The Accounts Commission
- The Council's External Auditors

**7.4 HEALTH AND SOCIAL CARE COMMITTEE**

7.4.1 Power is delegated to the Health and Social Care Committee:

- (a) To oversee the Council's relationship with the Inverclyde Integration Joint Board;
- (b) To oversee the effective deployment of Council resources to support the strategic priorities of the Inverclyde Integration Joint Board;
- (c) ~~To consider recommendations arising from the findings of the Social Work Complaints Review Committee.~~

*To oversee the Council's responsibilities in relation to homelessness services and, within the statutory framework, to contribute to reports on homelessness and rented residential accommodation to the Scottish Housing Regulator.*

**7.5 ENVIRONMENT AND REGENERATION COMMITTEE**

7.5.1 Power is delegated to the Environment and Regeneration Committee:

To have responsibility for the directorate planning, performance management reporting and financial monitoring for the following service areas:

- Regeneration and Planning
- Asset Management and Property Estates
- Environmental and Public Protection Services
- Strategic Housing
- Emergency Planning
- Private Sector Housing
- Environmental Health and Trading Standards

7.5.2 The Committee has service responsibilities as follows:

**Regeneration and Planning**

- (a) To promote the economic development and urban regeneration of Inverclyde;
- (b) To promote competitiveness, employment growth, the physical environment and planning and quality of life;
- (c) To promote marketing and inward investment, business development and support schemes, training initiatives *and processes to support young people in their transition from compulsory education*, labour market activities, the marketing, management and development of industrial and commercial property and to participate and engage in effective partnership activities to support all of the above;

**Extract of Scheme of Delegation (Officers)**

- 20 Authorised to approve and record any deviation from the standards set out in the Guide to Safety at Sports Grounds setting out the justification for the deviation;
- 21 Authorised to maintain all records in relation to the annual and other inspections of certified sports grounds carried out by the Head of Regeneration & Planning, the Chief Constable and the Chief Officer, Strathclyde Fire and Rescue;
- 22 Authorised to fix the annual date for the inspection of any certified sports ground;
- 23 Authorised to act as Lead Officer for the Council in all aspects of the Joint Management of Clyde Muirshiel Regional Park;
- 24 Authorised to approve the terms and conditions of and to sign missives of lease in respect of commercial and industrial properties in the ownership of the Council for not exceeding one year, subject to all such transactions being recorded in a Register kept for that purpose by him/her which shall be available for inspection by Elected Members of the Council;
- 25 Authorised to grant leases in respect of commercial and industrial properties in the ownership of the Council at market value for periods up to 5 years in respect of property with rentals of up to £25,000 per annum, subject to the condition that he/she maintains a Register of transactions so dealt with, which Register shall be available for inspection by Elected Members of the Council;
- 26 Authorised, where arrears of rent have arisen or any other term of the lease has been breached, to enter into and terminate the leases and to take any action necessary to secure possession of property and to recover rent arrears, subject to maintaining a Register of transactions so dealt with, which Register shall be available for inspection;
- 27 Authorised to terminate leases at wish in respect of all commercial and industrial properties and to agree commercial and industrial rental levels at review periods;
- 28 Authorised to conclude missives in respect of assignments of leases for commercial and industrial premises;
- 29 Authorised to proceed with repairs to commercial and industrial premises;
- 30 *Authorised to identify and engage young people in programmes to develop post compulsory education learning opportunities for 16-19 year olds and to work within, and form effective partnerships with, schools, colleges, local businesses and others to support transitions for young people.*

**Exceptions:**

The above delegations are subject to the exception of the following categories of application, which are for decision by Elected Members, as follows:

**To be determined by the Council:**

- (a) national developments as specified in the National Planning Framework;
- (b) major developments which are significantly contrary to the local development plan;

**To be determined by a Committee or Board of the Council:**

- (a) which the Planning Authority decides to determine which would otherwise fall to be determined by a person appointed to do so under this scheme;