



## Chelmsford City Council

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### Leader's Scheme of Executive Delegation for 2023-24

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Report by: Leader of the Council

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#### 1. Explanatory

The Scheme of Executive Delegation set out in paragraph 3 below is the current Scheme and has been agreed by the Leader. It describes who and/or which bodies exercise the Executive functions of Chelmsford City Council ("the Council"). It is submitted to the Council for information.

#### 2. Legal position

When elected, the Leader of the Council holds all of its Executive functions but may delegate them to one or more of the following: -

- (a) the Cabinet as a whole
- (b) individual members of the Cabinet
- (c) committees of the Cabinet
- (d) officers
- (e) joint executive committees or under joint arrangements

#### 3. The Scheme of Delegation

This Scheme of Executive Delegation provides that the following arrangements exist for the discharge of Executive functions:

- (a) The Cabinet may discharge all Executive functions. Functions to be discharged by the Cabinet are set out in Part 3.3.2(i) of the Council's Constitution.
- (b) Individual members may only discharge functions delegated to them by the Leader in accordance with paragraph 2 above.

- (c) The Leader may discharge any Executive function where it is not possible for the Cabinet to do so in a timely manner.
  - (d) Committees of the Cabinet may discharge the functions described in Part 3.3.4 of the Constitution.
  - (e) Officers may discharge, subject to paragraph 5, those delegations described in Part 3.4 of the Constitution, "Officer Scheme of Delegation", which are Executive functions.
4. Under this Scheme, no arrangements are made for the delegation of executive functions by:
    - (a) a committee of the Cabinet
    - (b) an individual member of the Cabinet (other than the Leader)
  5. Any officer authorised to exercise an Executive function by this Scheme of Executive Delegation may from time to time by giving written notice to the Legal and Democratic Services Manager nominate another officer as their deputy to exercise that Executive function in situations where they are not available through annual leave, sick leave or other leave of absence. The Legal and Democratic Services Manager will keep a record of these nominations. A nominated deputy exercising an Executive function must comply with the requirements of this Scheme of Delegation.
  6. All current specific delegations of authority granted by the Cabinet prior to the making of this Scheme of Executive Delegation shall remain in full force and effect.
  7. Deputising Arrangements. The Leader must appoint a Deputy Leader and notify their appointment to the Council. This will be done by notice in writing to the Legal and Democratic Services Manager, who will report the appointment to the next available meeting of the Council. If for any reason the Leader is unable to act, or the office of elected Leader is vacant, the Deputy Leader will act in their place. If the Leader is unable to act or the office of elected Leader is vacant, and the Deputy Leader is unable to act, or the office of Deputy Leader is vacant, then the Cabinet must act or arrange for a Cabinet Member to act.

#### Interpretation and changes

8. Any questions about the interpretation of any part of this Scheme of Delegation will be determined by the Legal and Democratic Services Manager.
9. Any changes to this Scheme of Delegation will come into operation 48 hours after receipt by the Legal and Democratic Services Manager or another date or time specified by the Leader. The Legal and Democratic Services Manager will ensure that an up-to-date version of the scheme is available for councillors, officers and the public and notify any changes to councillors.