

Agenda Item	
Report No	

SCHEME OF DELEGATION AND ADMINISTRATION TO COMMITTEES AND SUB COMMITTEES AND TO OFFICERS

Report by the Assistant Chief Executive

Summary

This report details amendments to the Council's Scheme of Delegation and Administration to Committees and Sub Committees and to Officers which require to be made prior to the annual review of the Scheme in the autumn.

1. Main Amendments

The main amendments to the Scheme – which are highlighted below - are in relation to Part II – Terms of Reference of Headquarters Committees and Joint Committees (and Sub Committees Acting with Full Delegated Powers)

(<http://www.highland.gov.uk/yourcouncil/committees/committeinformation/schemeofdelegation/sd-part-2.htm>) – and Part IV – Powers Delegated to Officers

(<http://www.highland.gov.uk/yourcouncil/committees/committeinformation/schemeofdelegation/sd-part-iv.htm>) - and have arisen as a result of the implementation of the Council's new Pay and Grading Scheme.

1.1 Part II – Terms of Reference of Headquarters Committees and Joint Committees (and Sub Committees Acting with Full Delegated Powers)

Resources Committee

Chief Executive's Office

Para 3.4 - Amend wording within current Para 3.4 – “To consider reports from other Committees proposing any increase, amendment or revision of any existing staff structures, grades and conditions of service” to read as follows –

“To consider reports from other Committees or Service Directors proposing any increase, amendment or revision of any existing staff structures and conditions of service.”

1.2 Part IV – Powers Delegated to Officers

Chief Executive - Personnel Services

Amend wording within current fourth paragraph to read as follows –

“Changes to post designations, work locations or other amendments including authorisation to agree grades for new posts and amended posts in accordance with the Job Evaluation Scheme and in consultation with the Deputy Chief Executive.”

(Title of Officer to whom/level of post to which delegated – Assistant Chief Executive).

Transport, Environmental and Community Services

- (i) Delegation Banding Code A – Transport & Infrastructure – delete reference to ‘Communications Manager’;
- (ii) Delegation Banding Code B – Transport & Infrastructure – delete reference to ‘Design Team Leader’ and replace with ‘Principal Engineer’. Also, delete reference to ‘Principal Engineer Contract Law and Site Supervision’;
- (iii) Delegation Banding Code C – Roads and Community Works – Delete reference to ‘Ferry Manager’ and replace with ‘Ferry Foreman’, delete reference to ‘QSP’ and replace with ‘Operational Support Officer’, delete reference to ‘Technical Assistant’ and replace with ‘Senior Technical Assistant’ and delete reference to ‘Community Works Assistant (CWA) and replace with ‘Assistant Community Works Officer’ and ‘Performance Inspection Officers’;
- (iv) Oil Pollution – Delete reference to ‘Emergency Planning Officer’ and replace with ‘Emergency Planning and Business Continuity Manager’
- (v) Harbours, Docks and Piers – Merchant Shipping and Maritime Security Bill – delete reference to ‘Ferry Manager’;
- (vi) Harbours, Docks and Piers – Aviation and Maritime Security Act 1990 – delete reference to ‘Ferry Manager’;
- (vii) Harbours, Docks and Piers – MS (Dangerous Goods & Marine Pollutants) Regulations 1990 – delete reference to ‘Ferry Manager’;
- (viii) Harbours, Docks and Piers – Merchant Shipping Dangerous Goods Regulations 1981 – delete reference to ‘Ferry Manager’; and
- (ix) Harbours, Docks and Piers – Safety Management Code for Domestic Passenger Vessels – delete reference to ‘Ferry Manager’ and replace with ‘Ferry Foreman’.

Planning and Development

Planning Development and Building Standards:

- (i) Town and Country Planning (Scotland) Act 1997 and Planning etc (Scotland) Act 2006 – to determine all applications, including aquaculture applications - delete reference to ‘Senior Planner/Team Leader in Development Management when APBSM on leave’ and replace with ‘Planning Team Leader/Principal Planner in Development Management when APBSM on leave’;
- (ii) Town and Country Planning (Scotland) Act 1997 and Planning etc (Scotland) Act 2006 – to determine aquaculture applications which are not contrary to the Council’s planning and fish farming policies – delete reference to ‘Natural Resources Manager’ and replace with ‘Countryside Heritage and Natural Resources Manager’;
- (iii) Local Government in Scotland Act 2003 – to respond to consultations from the Crown Estate as to whether or not an Environmental Statement was needed to accompany an aquaculture lease application and the scope of such statements – delete reference to ‘Natural Resources Manager’ and replace with ‘Countryside Heritage and Natural Resources Manager’;
- (iv) Building (Scotland) Act 2003 – to approve (but not refuse) applications for building warrants – delete reference to ‘Senior Building Standards Officer (SBSO)’ and replace with ‘Building Standards Team Leader or Principal Building Standards Surveyor (PBSS)’;
- (v) Building (Scotland) Act 2003 – to grant Certificates of Completion for the construction of buildings in respect of which building warrant has been granted – delete reference to ‘SBSO’ and replace with ‘Building Standards Team Leader or PBSS’;

- (vi) Building (Scotland) Act 2003 – to grant (but not refuse) relaxations of the Building Standards (Scotland) Regulations – delete reference to ‘Principal Building Standards Officer (PBSS)’ and replace with ‘Building Standards Team Leader or PBSS’;
- (vii) Building (Scotland) Act 2003 – to serve Notices, make Orders, and to take other necessary action in respect of non-conforming buildings and to serve Notices requiring buildings to conform to Building Standards Regulations – delete reference to ‘PBSO’ and replace with ‘Building Standards Team Leader or PBSS’;
- (viii) Building (Scotland) Act 2003 – to take all necessary action in respect of dangerous buildings – delete reference to ‘PBSO’ and replace with ‘Building Standards Team Leader or PBSS’;
- (ix) Building (Scotland) Act 2003 – to authorise entry to premises and to require testing of building materials – delete reference to ‘PBSO’ and replace with ‘Building Standards Team Leader or PBSS’;
- (x) Building (Scotland) Act 2003 – to require the giving of information to enable service of Notices – delete reference to ‘PBSO’ and replace with ‘Building Standards Team Leader or PBSS’;
- (xi) Building (Scotland) Act 2003 – to permit temporary occupation of or use of a building before a Certificate of Completion has been issued, such period not to exceed one year – delete reference to ‘SBSO’ and replace with ‘Building Standards Team Leader or PBSS’;
- (xii) Building (Scotland) Act 2003 – to issue “letters of comfort” in respect of building operations which do not have the benefit of a building warrant and/or a Completion Certificate – delete reference to ‘SBSO’ and replace with ‘Building Standards Team Leader or PBSS’;
- (xiii) Building (Scotland) Act 2003 – to issue Certificates as to the suitability of premises in relation to building standards for the purposes of the Licensing (Scotland) Act 1976 – delete reference to ‘SBSO’ and replace with ‘Building Standards Team Leader or PBSS’;
- (xiv) Civic Government (Scotland) Act 1982 – to take all necessary action in respect of buildings in need of repair (Section 87) – delete reference to ‘PBSO’ and replace with ‘Building Standards Team Leader or PBSS’; and
- (xv) Civic Government (Scotland) Act 1982 – to approve raised structures provided for seating or standing accommodation and to impose conditions (Section 89) – delete reference to ‘PBSO’ and replace with ‘Building Standards Team Leader or PBSS’.

Recommendation

Members are asked to approve the proposed amendments to the Scheme of Delegation and Administration to Committees and Sub Committees and to Officers as detailed.

Signature:

Designation: Assistant Chief Executive

Date 30 April 2009