

Agenda Item	17
Report No	HC/45/17

HIGHLAND COUNCIL

Date: 26 October 2017

Report Title: Review of the Scheme of Delegation and Administration to Committees and Sub Committees and to Officers

Report By: Head of Corporate Governance

1. Purpose/Executive Summary

1.1 This report highlights proposed changes to the Scheme of Delegation and Administration to Committees and Sub Committees and to Officers.

Annual Review of the Scheme is a requirement of the Council's Code of Corporate Governance.

1.2 A copy of the current version of the Scheme of Delegation can be found on the Council website –

https://www.highland.gov.uk/downloads/file/16903/scheme_of_delegation

2. Recommendation

2.1 The Council is asked to consider and agree the proposed changes to the Scheme of Delegation and Administration to Committees and Sub Committees and to Officers as detailed in the report.

3. Proposed Changes to the Scheme of Delegation

3.1 Members are advised that the main changes proposed in relation to the Scheme of Delegation - which are highlighted below – are in relation to –

Part I – Powers Reserved to the Highland Council

Part II – Terms of Reference of Headquarters Committees

Part IV – Powers Delegated to Officers

3.2 Part I – Powers Reserved to the Highland Council

Current wording – To approve the annual Revenue and Capital budgets and to set the Council Tax, HRA rent and other Housing charges.

Proposed wording – To approve the annual Revenue and Capital budgets and to set the Council Tax.

Include the following – To receive the Council's Annual Accounts and approve these for audit (annually by 30 June).

3.3 Part II – Terms of Reference of Headquarters Committees

The following to be transferred from the People Committee to the **Corporate Resources Committee** – responsibility for Gaelic Medium Development and approval of the Gaelic Language Plan.

In addition, the following to be included in the delegation to the **Corporate Resources Committee** – consideration of reports and recommendations from the Gaelic Strategy and Implementation Group.

The following to be included in the delegation to the **Audit & Scrutiny Committee** – to receive and agree the Audited Accounts and Auditor's Report to Members (annually by 30 September).

The following to be included in the delegation to the **People Committee** – to consider and agree recommendations arising from the Welfare Reform Working Group.

3.4 Part IV – Delegation to Officers

Development & Infrastructure

Current wording – To determine all applications, with the exception of the following – applications recommended for approval/grant but where there are unresolved objections from a statutory consultee and where, in the opinion of the Appointed Officer, such objections cannot be addressed by conditions.

Proposed wording – To determine all applications, with the exception of the following – applications recommended for approval/grant but where there are unresolved objections from a statutory consultee *raising considerations that*

are material to the development proposed and the determination of the application concerned and where, in the opinion of the Appointed Officer, such objections cannot be addressed by conditions.

Current wording – To approve, negotiate and undertake by disposal, sale, lease, assignation, sub-letting lease surrender, licence or excambion of property interests up to a value not exceeding £200,000 or £25,000 pa, subject to demonstrating the asset is surplus to the operational requirements of Highland Council services and further subject to the sale price/rent not being below market value and consultation with Ward Members.

Proposed wording – To approve, negotiate and undertaken by disposal, sale, lease, assignation, sub-letting, lease surrender, licence or excambion of property interests up to a value not exceeding £200,000 or £25,000 pa, subject to the sale price/rent not being below market value and consultation with Ward Members.

Current wording – To dispose of land and property below market value where the marginal difference between the proposed price and the best consideration price is 25% or less, subject to a maximum marginal difference of £10,000 after consultation with Ward Members (for industrial and investment and commercial element of HRA properties only).

To lease land and property at below market value with a value up to £30,000 or less where the marginal difference between the proposed price and the best consideration price is 25% or less after consultation with Ward Members (for industrial and investment properties only).

Proposed wording – To approve any sales or leases which fall under the Disposal of Land by Local Authorities (Scotland) Regulations 2010 after consultation with Ward Members.

Include the following new wording -

To agree a lease extension at less than market value, on the same terms and conditions to a community group where a rent reduction has previously been granted, subject to consultation with Ward Members.

Include the following new wording –

To approve, negotiate and undertake the disposal of property interests forming part of Educational Trusts and Endowments up to a value of £200,000, subject to the sale price not being below best consideration and consultation with relevant Ward Members.

Include the following - Applications, Notifications and Opinions – delegation to Planning Officers – in this context, Planning Officers may only determine Householder, Advertisement Consent and Telecommunication Prior Notification applications which are under consideration by the Small Applications Team and where there are no public representations and where the development proposed is not situated within a Conservation Area or affecting a Listed Building.

4. Other Administrative Changes

- 4.1** A number of minor administrative changes have also been made to remove duplication and to clarify existing arrangements.

5. Implications

- 5.1** There are no specific Resource, Legal, Community (Equality, Poverty and Rural), Climate Change/Carbon Clever, Risk or Gaelic implications.

Designation: Head of Corporate Governance

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