

**Report to Waste and Recycling Policy
Development Advisory Group**

19 January 2017

By the Monitoring Officer

INFORMATION REPORT



**Horsham
District
Council**

Not Exempt

Notice of temporary amendment to the Leaders' scheme of delegation

Executive Summary

In the absence of Councillor Roy Cornell, the Leader of the Council has consequently amended the scheme of delegation in accordance with Part 4b. 4 of the Constitution of the Council. The amendment applies from 18 January 2017 to 1 February 2017. Upon the cessation of the amendment, the scheme of delegation provided in the Constitution as published will apply.

The constitution requires the Monitoring Officer to notify the policy development advisory group as the body concerned.

Recommendations

That the Policy Development Advisory Group is recommended:

To note the temporary amendment to the Leaders' scheme of delegation

Reasons for Recommendations

To discharge the provisions of Part 4b. 4 of the Constitution of the Council.

Background Papers

None

Wards affected: All Wards

Contact: Paul Cummins, Monitoring Officer

Background Information

1 Introduction and Background

- 1.1 The Local Government and Public Involvement in Health Act 2007 sets out that the Leader of the Council shall make arrangements for the discharge of Cabinet functions. The constitution enables the legislation in Part 4b 4, and provides that *the Leader may amend the scheme of delegation relating to Cabinet functions at any time. In doing so the Leader will give written notice to the Monitoring Officer and to the person, body or committee concerned.*
- 1.2 In the absence of Councillor Roy Cornell, the Leader of the Council has advised that he has made a temporary amendment to the scheme of delegation to account for that absence.
- 1.3 The amendment is that the Leader shall absorb the functions of the Cabinet Member for waste, recycling and cleansing, as provided in Part 3.3.6 of the Constitution.
- 1.4 Consequently, the Leader shall act as Chairman of the Waste and Recycling Policy Development Advisory Group on 19 January 2017 in accordance with Part 4 b 14 (a) of the Constitution.

2 Relevant Council policy

- 2.1 The Constitution of the Council

3 Details

- 3.1 The Leader of the Council may temporarily amend the scheme of delegation in order to cover for the absence of a Cabinet Member. One of the roles of the Cabinet Member is to be the Chairman of the policy development advisory group for their portfolio.

4 Next Steps

- 4.1 The Monitoring Officer will notify the next meeting of the Full Council of the amendment.
- 4.2 The Monitoring Officer will examine the Constitution to propose an additional clause in Part 4 b 14 to clarify the chairmanship of policy development advisory groups in the absence of the Cabinet Member.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 The Monitoring Officer was consulted and advised this course of action to account for the short term absence of Councillor Cornell.

6 Other Courses of Action Considered but Rejected

6.1 The Monitoring Officer advised that there is no other course of action that would satisfy the relevant constitutional provisions.

7 Resource Consequences

7.1 There are none.

8 Legal Consequences

8.1 As described throughout this report.

9 Risk Assessment

9.1 Following the constitution of the council mitigates any risk.

10 Other Considerations

10.1 None