

Audit Committee –14 June 2010

Annual Report on the exercise of delegated powers Assistant Director Legal and Constitutional Services

Summary of report

Annual report on any significant decisions, including key decisions taken under delegated powers by the Chief Officer, (or other post holders within his/her directorate), in the financial year 2009/10.

Recommendation

1. To note the significant decisions taken by the Chief Officer under delegated powers, as set out in appendix 1.
2. To note that details on decisions taken that fall outside of the reporting requirements, set out in the constitution 3.5.3.1, are also available for inspection by members in the officer's room.

Background

The Council's constitution requires all chief officers to submit an annual report to the Audit Committee setting out the significant decisions, including key decisions taken under delegated powers by the chief officer (or other post holder within his/her directorate) in the previous year.

The report should summarise the manner of which some or all of such delegated powers have been exercised. Each chief officer exercising delegated powers shall be responsible for recording decisions taken.

A significant decision for this purpose is also defined within the constitution as having one of the following impacts

- a) it has a considerable direct and material impact upon the lives of the inhabitants of the borough or business operating within it, or
- b) Results in the Council incurring expenditure for which there is no revenue or capital budget.

Notwithstanding the above and the separate requirement to report key decisions, a decision that is purely operational in nature or necessary to give effect to a decision of the Council, Cabinet, Licensing and Safety Committee, Development Control Committee or such other Committee of the Council is not a significant decision for the purpose of the scheme of delegations.

Any member may request that decisions taken by officers under delegated powers be the subject of scrutiny by the appropriate scrutiny panel.

Resource and legal considerations

None directly resulting from this report

Governance issues / Citizen impact

Walsall Council believes that it is responsible for ensuring that its business is conducted to the highest ethical and legal standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. In discharging this accountability Members and officers are responsible for putting in place proper arrangements for the governance of Walsall Council's affairs and the stewardship of the resources at its disposal.

Environment impact

None directly from this report

Performance and risk management issues

Openness is a prerequisite if stakeholders are to have confidence in the decision-making and management processes of the Council. The annual reporting of chief officers' decisions shows that commitment.

Equality implications

None arising directly from this report

Consultation

None

Appendix 1

During the year 2009/10 the Assistant Director for Legal and Constitutional Services has taken no delegated decisions that fall within the definition of a significant decision as defined by the constitution.

The nature of the role of the Chief Officer is such that either he or the services for which he is responsible for

provide advice of a technical which members bodies or officers use to inform their decision making or

implement the decisions that members bodies or officers have taken.

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