

REPORT TO: East Lothian Council

MEETING DATE: 11 December 2018

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Amendments to Standing Orders – Scheme of Delegation

1 PURPOSE

- 1.1 To seek approval of proposed changes to the Scheme of Delegation.

2 RECOMMENDATIONS

- 2.1 Council is asked to approve the proposed changes to the Scheme of Delegation, as set out in Appendix 1 to the report.

3 BACKGROUND

- 3.1 Members are advised of a proposal to amend the Scheme of Delegation following a review of duties and responsibilities. These changes are outlined in Appendix 1.
- 3.2 Members are also asked to note that the Chief Executive has delegated authority to make changes to the Scheme of Delegation which arise as a result of changes to Council structures. A number of such structural changes have recently taken place, and these will be reflected in the revised Scheme of Delegation.
- 3.2 If approved, the changes to the Scheme of Delegation will be incorporated into Standing Orders. The updates will be issued to political group offices and published on the Council's website.

4 POLICY IMPLICATIONS

- 4.1 None

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – None
6.2 Personnel – None
6.3 Other - None

7 BACKGROUND PAPERS

- 7.1 East Lothian Council's Standing Orders

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DATE	12 November 2018

Proposed Changes to the Scheme of Delegation

Section 7 – Specific Duties and Responsibilities Delegated to the Head of Development

Add: Determining applications for Tree Preservation Orders where there are no outstanding objections

Section 8 – Specific Duties and Responsibilities Delegated to the Head of Infrastructure

Add: Carrying out the Council's enforcement functions under the Road Traffic Regulation Act 1984, the Road Traffic Act 1991, the Transport (Scotland) Act 2011 and the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011

Section 12 – Statutory Appointment of Officers

Local Government (Scotland) Act 1973

Section 40 – Proper officer for receiving general notices from councillors about any financial interest in a matter, and for recording councillors' interests

Proper officer – Monitoring Officer

Amend to: Monitoring Officer/Service Manager – Licensing Admin and Democratic Services/Team Manager – Democratic and Licensing

Licensing (Scotland) Act 2005

Add: Section 13 – Proper officer for supervising compliance by licence-holders, mediating, issuing notices and applying for premises licence reviews

Proper officer – Licensing Standards Officer

Add: Weapons and Licensing (Scotland) 2015

Section 82 – Proper officer for supervising compliance by licence-holders, mediating, issuing notices and referring breaches

Proper officer – Civic Licensing Standards Officer

Add: General Data Protection [European Legislation]

Chapter 4, Section 4, Article 39 – Proper officer for monitoring compliance; proper officer for informing and advising the data controller of their obligations; proper officer for co-operating with the supervisory authority in respect of (1) East Lothian Council, and (2) East Lothian Licensing Board
Proper officer – Team Manager, Information Governance

Add: Public Records (Scotland) Act 2011

Section 1 (2) (a) (i) – Proper officer for the management of the authority's public records; proper officer for the management of East Lothian Licensing Board's public records

Proper officer – Team Manager, Information Governance

Section 1 (2) (a) (ii) – Proper officer for ensuring compliance with the Records Management Plan

Proper officer – Team Manager, Information Governance