

**MIDDLESBROUGH COUNCIL**

<b>Report of:</b>	Charlotte Benjamin - Director of Legal and Governance Services (Monitoring Officer)
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<b>Relevant Executive Member:</b>	Chris Cooke - The Mayor
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<b>Submitted to:</b>	Council
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<b>Date:</b>	9 July 2025
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<b>Title:</b>	Executive Scheme of Delegation
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<b>Report for:</b>	Information
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<b>Status:</b>	Public
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<b>Council Plan priority:</b>	Delivering Best Value
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<b>Key decision:</b>	No
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<b>Why:</b>	Report is for information only
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<b>Subject to call in?</b>	No
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<b>Why:</b>	Council Report – for information only
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<b>Proposed decision(s)</b>
That Council notes the changes to the Executive Scheme of Delegation.

<b>Executive summary</b>
The Mayor is required to report any changes to his Executive Scheme of Delegation to Council.

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

1.1 The report sets out to Members, as required by the Constitution, details of the revised Executive Scheme of Delegation (Appendix A) for inclusion in the Council's Scheme of Delegation.

1.2

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
A successful and ambitious town	By responding effectively and efficiently to legislative and constitutional requirements the Council will maintain effective and robust governance arrangements. Robust governance arrangements will allow for effective decision making which inform all the Council's ambitions.
A healthy Place	
Safe and resilient communities	
Delivering best value	

## 2. Recommendations

2.1 That Council

- Note the changes to the Executive Scheme of Delegation.

## 3. Rationale for the recommended decision(s)

3.1 The Constitution requires that Council be informed by the Elected Mayor about the composition and constitution of the Executive, and the names of Councillors they have chosen to be members of the Executive including the Deputy Mayor.

## 4. Background and relevant information

4.1 The Mayor is responsible for determining his Scheme of Delegation and this covers the following areas of delegated powers: the Executive collectively, individual Executive Members, officers and joint arrangements. When he considers it appropriate however, the Mayor may still take any decision regardless of whether it has been delegated within his Scheme. The general responsibilities of the Mayor and Executive Members including their revised portfolios are detailed at Appendix A. The membership of the Mayor's Executive is detailed at Appendix B.

4.2 The revised composition of the Executive is as follows:

- The Mayor

- Deputy Mayor and Executive Member for Education and Culture.
- Executive Member for Adult Social Care.
- Executive Member for Children's Services.
- Executive Member for Development.
- Executive Member for Environment and Sustainability.
- Executive Member for Finance.
- Executive Member for Neighbourhoods.
- Executive Member for Public Health.

### **The Executive collectively**

4.3 The Executive (the Mayor, Deputy Mayor and Executive portfolio holders) will be responsible collectively for determining the following matters in respect of all or any functions which fall within the Executive terms of reference:

- a) To take Executive decisions when there are public meetings of the Executive, convened in accordance with the relevant legislation.
- b) Key Decisions, not delegated by the Mayor to an Executive Committee, an Executive Member, an Officer or a Joint Arrangement.
- c) Strategic and significant decisions arising from Service reviews.
- d) Proposals, which will be submitted to the Council as part of the annual Budget and Policy Framework, together with in-year departures from the Budget and Policy Framework.
- e) Save for matters reserved for Full Council, new policies and procedures and changes to existing policies and procedures likely to have a significant impact on Service provision or the organisation of the Council.
- f) Allocation of funding within the budgetary framework, together with proposals and overall expenditure levels, for projects with significant corporate implications, including those for which it is proposed to let a contract, in accordance with Financial Procedure Rule D.
- g) Council-wide strategic performance and financial management / monitoring together with associated action.
- h) Significant Council-wide matters which are not Key Decisions.
- i) All reports referred to the Executive by the Overview and Scrutiny Board and its Scrutiny Panels.
- j) Ownership of risk management and regular review of the strategic risk register.

## **Individual Executive Members**

4.4 Individual portfolio holders will normally be responsible for the following matters in relation to the functions and service areas within the scope of their own portfolio.

- a) Minor variations to existing policies and procedures.
- b) Oversight of departmental service plans, having regard to the Budget and Policy Framework.
- c) Monitoring of Service performance information.
- d) Oversight of Executive Portfolio Service reviews, including, improvement plans, external inspection, reviews and non-strategic corporate matters.
- e) Oversight of plans and strategies, which are not part of the Budget and Policy Framework.
- f) Decisions which are within the Executive Portfolio Holder's remit.
- g) Matters relating to bids for funding which do not have major financial or strategic significance, or which have either been approved in principle by the Executive or as part of the Budget and Policy Framework.

## **Deputy Mayor – Delegated Authority**

4.5 The Deputy Mayor has delegated powers:

- a) To appoint to outside bodies, made by the Executive or jointly with Council.
- b) To appoint to Executive Advisory Bodies (Excluding membership to the Full Executive)

## **Executive Sub-Committee for Property**

4.6 When not referred to the Mayor, Executive or Executive Member to determine, the Executive Sub-Committee for Property is delegated the following powers:

- a) To determine the Council's corporate property priorities.
- b) To approve the allocation of resources from the Members Small Scheme budget.
- c) To be consulted upon the capital programme.
- d) To determine 'in year' changes to the new start investment programme and small scheme allocation projects should it become necessary.
- e) To consider and determine the acquisition and disposal of assets (including land and buildings), other than equipment, plant and machinery for resale, in

accordance with the requirements of Financial Regulations and Contract Standing Orders.

- f) To be consulted upon planning brief proposals.
- g) To establish effective communication channels to cascade the Council's corporate property priorities.

4.7 The Membership of the Executive Sub-Committee for Property is as follows:

- o All Members of the Executive

### **Decision Making by Joint Bodies**

4.8 The following body will exercise executive functions in accordance with the terms of the agreement currently in operation:

Joint Archives Committee

### **Officer delegated authority**

### **Decisions by officers**

4.9 Officers have the power to undertake without reference to Council, the Executive, or to any of the Council's committees, matters of day-to-day management and associated activities. Subject to the provisions within the Mayor's scheme of delegation above, officers can take executive non-key decisions. Unless specifically delegated by the Mayor and his Executive, officers do not have the delegated powers to take key decisions.

### **Decision Making by Chief Executive**

4.10 The Chief Executive of the Council, or any officer nominated by the Chief Executive as his Deputy in this regard, in consultation with the Mayor, will have delegated authority to make Executive decisions of a policy, financial and operational nature in response to an emergency.

## **5. Ward Member Engagement if relevant and appropriate**

5.1 Not applicable

## **6. Other potential alternative(s) and why these have not been recommended**

6.1 To not inform Council of changes to the Executive. However, this was not recommended as there was a constitutional requirement for the update to be presented to Council.

## **7. Impact(s) of the recommended decision(s)**

Topic	Impact
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Financial (including procurement and Social Value)	An additional Member of Executive requires the relevant Special Responsibility to be paid to that Executive Member, the current Special Responsibility Allowance is £11,190.
Legal	The Mayor is required to appoint an Executive consisting between 2 and 9 Executive Members in accordance with the Local Government Act 2000 (as amended).
Risk	If the Council does not respond effectively and efficiently to legislation it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities. The Council is obliged to comply with any legislation or statutory guidance to ensure that the Council is fulfilling its statutory duties.
Human Rights, Public Sector Equality Duty and Community Cohesion	The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.
Reducing Poverty	The subject of this report is not a policy, strategy, function or service that is new or being revised.
Climate Change / Environmental	The subject of this report is not a policy, strategy, function or service that is new or being revised.
Children and Young People Cared for by the Authority and Care Leavers	The subject of this report is not a policy, strategy, function or service that is new or being revised.
Data Protection	The subject of this report is not a policy, strategy, function or service that is new or being revised.

### Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline

### Appendices

1	Executive Scheme of Delegation
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3	

### Background papers

Body	Report title	Date

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