


<p>London Borough of Hammersmith & Fulham</p> <p>FULL COUNCIL</p> <p>19 July 2017</p>		
<p>REVIEW OF THE CONSTITUTION – OFFICER SCHEME OF DELEGATION UPDATES</p>		
<p>Report of the Leader of the Council - Councillor Stephen Cowan</p>		
<p>Open Report</p>		
<p>Classification: For Decision Key Decision: No</p>		
<p>Wards Affected: All</p>		
<p>Accountable Director: Rhian Davies, Monitoring Officer</p>		
<p>Report Author: Kayode Adewumi, Head of Governance and Scrutiny</p>	<p>Contact Details: Tel: 020 8753 2499 E-mail: kayode.adewumi@lbhf.gov.uk</p>	

1. EXECUTIVE SUMMARY

- 1.1. This report recommends some amendments to the Officer Scheme of Delegation to reflect legislative and personnel changes.

2. RECOMMENDATIONS

- 2.1 That Council approves the changes to the Officer Scheme of Delegation in Appendix 1.

3. REASONS FOR DECISION

- 3.1 The Council's Monitoring Officer is required to keep the Council's Constitution up to date to ensure that its aims and principles are given full effect in accordance with Article 15 of the Constitution.

4. INTRODUCTION

- 4.1 The Constitution sets out how the Council operates, how decisions are made and the procedures that are followed to ensure business is conducted in an efficient, transparent, and accountable manner.

5. PROPOSALS AND ISSUES

- 5.1 Since the last review of the constitution there have been changes to legislation and personnel changes within the Council. This report seeks approval for amendments to the officer scheme of delegation to reflect these changes – as detailed in Appendix 1.

6. LEGAL IMPLICATIONS

- 6.1 It is important to note that the Local Government Act 2000 requires the Council to have and maintain a Constitution. The Monitoring Officer is satisfied that the Council's Constitution continues to fulfil its stated purposes, as set out in Article 1 of the Constitution.
- 6.2 Implications verified by: Rhian Davies, Monitoring Officer – Tel: 020 8753 2729

7 FINANCIAL IMPLICATIONS

- 7.1 There are no direct financial implications.
- 7.2 Implications verified by: Kayode Adewumi, Head of Governance and Scrutiny - Tel: 020 8753 2499

8 EQUALITY IMPLICATIONS

- 8.1 The equalities implications of this decision has been considered to be neutral.
- 8.2 Implications verified by: Kayode Adewumi, Head of Governance and Scrutiny - Tel: 020 8753 2499

9 BUSINESS IMPLICATIONS

- 9.1 There are no business implications.
- 9.2 Implications verified by: Kayode Adewumi, Head of Governance and Scrutiny – Tel: 020 8753 2499

LOCAL GOVERNMENT ACT 2000 BACKGROUND PAPERS USED IN PREPARING THIS REPORT

None.

Amendments to the Constitution – July 2017

Responsibilities of the Director for Safer Neighbourhoods

The Director for Safer Neighbourhoods post is being deleted and all responsibilities transferred to the Director for Environmental Health. All references to ‘the Director for Safer Neighbourhoods’ in the Constitution, including the scheme of delegation, to be replaced with the Director for ‘Environmental Health’.

Internal Officer Scheme of Delegation – Environmental Services - Building Control Service

Item 15 – add ‘as appropriate’ after Building Act 1984 in the Function column.

Item 16, 17, 18, 19, 128 – In the Proper Officer column delete the word “Any” before the Principal Building Control Officer - and deleted ‘Electrical & Mechanical Engineer’.

Item 129, 130 – Remove all and insert, “Head of Building Control, Principal Structural Engineer, and Senior Structural Engineer”.

Items 136,141,144, 145, 147 – Add “Principal Building Control Officer” to the Proper Officer column.

No.	Function	Proper Officer
15.	Building Act 1984 - as appropriate	Director for Environmental Health, Head of Environmental Health (Residential), Environmental Quality Manager Head of Building Control, Commercial Services Manager, Environmental Health Officer
16.	Building (Inner London) Regulations 1985-87 Implemented the National Building Regulations to Inner London and repealed or modified certain provisions of the London Building Acts which overlapped or conflicted with the national regulations.	Principal Building Control Officer, Senior Building Control Officer, Building Control Officer, Principal Structural Engineer / Means of Escape Fire Safety, Surveyor / Senior Structural Engineer / Means of Escape Fire Safety Surveyor
17.	The Building (Local Authority Charges) Regulations 2010 - London Borough of Hammersmith and Fulham Building Regulations Charges Scheme No. Power to fix charges by means of a Charges Scheme so as to recover the cost of carrying out the functions relating to	Head of Building Control

18. 19.	<p>building regulations.</p> <p>Building Regulations 2010 (“the new Principal Regulations”) as amended</p> <p>Building Regulations (Approved Inspectors etc.) Regulations 2010 (“the new A1 Regulations”) as amended</p>	
128.	<p>LCC (General Powers) Act 1954 S 6 and 7 Amends Section 30 & 34 of LBA (A)A1939</p>	<p>Principal Building Control Officer, Senior Building Control Officer, Building Control Officer, Principal Structural Engineer / Means of Escape Fire Safety, Surveyor / Senior Structural Engineer / Means of Escape Fire Safety Surveyor</p> <p>Head of Building Control</p>
129.	<p>LCC (General Powers) Act 1955 – Part II Expenses & fees regarding dangerous structures. Fees on submission of calculations under London Building Acts.</p>	<p>Head of Building Control, Principal Structural Engineer, and Senior Structural Engineer</p>
130.	<p>LCC (General Powers) Act 1958 S 15 & S 24 Transfer of responsibility for dangerous structure control</p>	
136. 141. 144. 145.	<p>Local Government Act 1985 S14 Schedule 8 Implement Building Regulations in inner London</p> <p>Local Government Reorganisation (Miscellaneous Provision) (No. 4) Order 1986 Modifies London Building Act</p> <p>London Building Act 1930 - Part XI S. 143 - Regulations for buildings near dangerous businesses S. 144 - Regulations for buildings near noxious businesses S. 146-148 - Dwellings on low-lying land</p> <p>London Building Act (Amending) Act 1939 Section 30 – Special & Temporary Structures Part VII – Dangerous and Neglected</p>	<p>Principal Building Control Officer, Senior Building Control Officer, Building Control Officer, Principal Structural Engineer / Means of Escape Fire Safety, Surveyor / Electrical & Mechanical Engineer, Senior Structural Engineer / Means of Escape Fire Safety Surveyor</p> <p>Head of Building Control</p>

147.	<p>Structures</p> <p>London Building (Amendment) Act 1935 S 8 - Hold copy of Bye-Laws Acts made under London Buildings Acts</p>	
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