

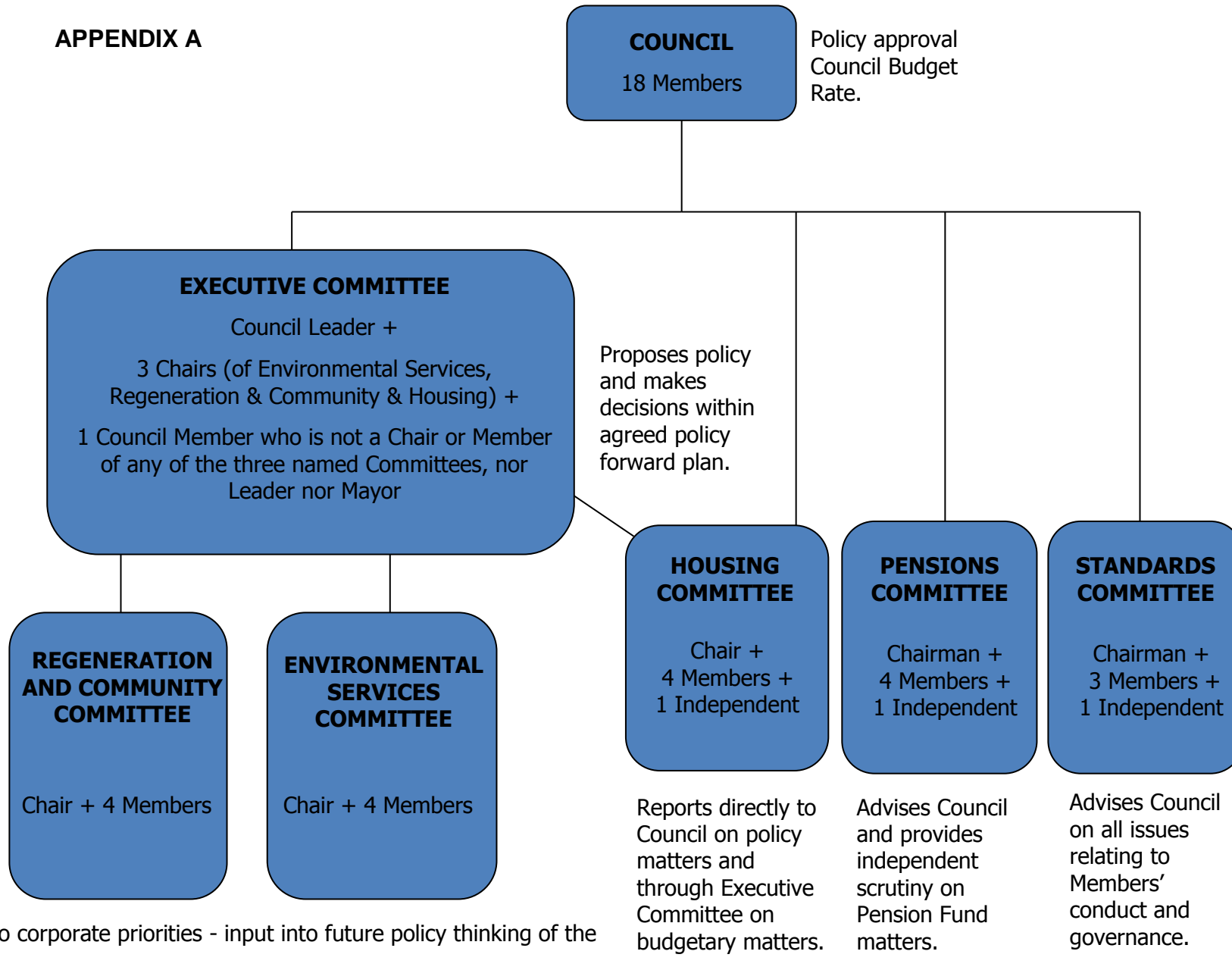
Part 3

Responsibility for Functions and Scheme of Delegation

Introduction

1. The Council has under the powers given to it by Sections 18 and 21 of the Local Government Act 1985 appointed Committees and officers in order that arrangements may be made for them to discharge certain functions of the Council. The Local Government Act 1985 Section 17, permits the Council to arrange for the carrying out of its powers and duties by a committee, sub-committee or an officer. The Act does not permit the Council to arrange for a single Member to make decisions.
2. The focus of delegation should be on decisions being made at as low a level as possible, within defined policies. The Council and Committees are concerned with developing those policies, which Officers can then apply when the circumstances arise.
3. The exercise of any power or duty mentioned in the scheme of delegation is subject to compliance with the law, the provisions of this Constitution, sufficient budgetary provision having been made, and to any decision of the Council.
4. "Function" means any power, duty, discretion, evaluation or deliberation of, relating to, or arising from or under statute, instrument, ordinance, bylaw, contract or inherent power, however described and however arising.
5. Any reference to a function or matter includes a reference to all statutory powers relating to that function or matter, whether directly or indirectly, and authority to exercise all such powers.
6. Any reference in the scheme of delegation to an Act of Tynwald or statutory instrument includes a reference to any amendment or modification.
7. Any additional duties or responsibilities that are imposed upon the Council by law at any time will be allocated to a Committee by the Chief Executive. Any additional responsibilities must be appropriate to the aims and objectives of that Committee. The Chief Executive will consult with the Leader prior to making any allocation and the allocation of any additional responsibilities will be reported to the next meeting of the full Council.
8. The delegation of authority to deal with any matter shall not prevent the Council or the appropriate Committee asking for a report on any decision or action taken, or requiring any such matter under consideration to be referred to the Council or to the appropriate Committee for a decision.
9. Where a power or duty of the Council has been delegated to a Committee or officer, the delegation shall be deemed to include any action that may be incidental to the exercise of the power or duty.
10. In any matters where there are legal implications for the Council and/or any of its services, the Chief Executive (or nominee) shall be consulted before any action is taken.

APPENDIX A



ASSIGNMENT OF RESPONSIBILITIES BY COUNCIL AND COMMITTEE

Function	Portfolio	Service	Chief Officer	Assistant Chief Officer	Budget Manager
Adoption and amendment of Constitution, including Standing Orders	Council	N/A	CEO	N/A	N/A
Election of Mayor	Council	N/A	CEO	N/A	N/A
Election of Leader	Council	N/A	CEO	N/A	N/A
Appointment of Committee Chairs. (Chair of Regeneration and Community Committee to also be Chair of Allotments Committee)	Council	N/A	CEO	N/A	N/A
Terms of Reference of Executive and Committees	Council	N/A	CEO	N/A	N/A
Appointment of Members (including Independent Members) to Standards, Pensions and Housing Committees	Council	N/A	CEO	N/A	N/A
Appointment of Representatives to Joint Committees and Outside Bodies. (Representatives on Eastern Civic Amenity Site Joint Committee to be chosen from Members of Environmental Services Committee, Representative/s on Douglas Town Band Committee to be Members of Regeneration & Community Committee)	Council	N/A	CEO	N/A	N/A

Approval and adoption of budget and Policy framework	Council	N/A	CEO	N/A	N/A
Approval of annual budget	Council	N/A	DOF	N/A	N/A
Rate setting	Council	N/A	DOF	N/A	N/A
Decisions outside the policy framework and/or budget	Council	N/A	CEO	N/A	N/A
Approval and adoption of Bylaws	Council	N/A	CEO	N/A	N/A
Amendment of Ward and Borough boundaries	Council	N/A	CEO	N/A	N/A
Conferment of Honorary Freedom of the Borough	Council	N/A	CEO	N/A	N/A
Appointment of Chief Executive	Council	N/A	CEO	N/A	N/A
Promoting or opposing the making of local legislation	Council	N/A	CEO	N/A	N/A
Members' Allowances	Council	N/A	CEO	N/A	N/A
Any other matters which by law must be reserved to Council	Council	N/A	CEO	N/A	N/A

EXECUTIVE COMMITTEE

Function	To whom Function Delegated	Service	Chief Officer	Assistant Chief Officer	Budget Manager
Formulation of Policy Framework for approval by Council with the exception of policies specific to the Housing service which shall be within the remit of the Housing & Property Committee, and policies specific to the Isle of Man Local Government Superannuation Scheme which shall be within the remit of the Pensions Committee	Executive Committee	N/A	CEO	N/A	N/A
Decisions required to implement the policy framework	Executive Committee	N/A	CEO	N/A	N/A
Appointment of other Chief Officers (other than the Chief Executive)	Executive Committee	N/A	CEO	N/A	N/A
Appointment of Members to the Housing & Property, Regeneration and Community, and Environmental Services Committees	Executive Committee	N/A	CEO	ATC	N/A
Responding to Government Consultation Documents	Executive Committee	N/A	CEO	ATC	N/A
Civic and ceremonial matters	Executive Committee	SP110 & 140	CEO	ATC	ATC
Financial Management	Executive Committee	SP180	DOF	ACO(F)	ACO(F)
Financial matters not reserved to full Council	Executive Committee	SP180	DOF	ACO(F)	ACO(F)
Use of the Councils Reserves, Funds and Capital Receipts	Executive Committee	SP190	DOF	DOF	DOF
Authorising the use of the corporate Seal	Executive Committee	N/A	CEO	ATC	N/A

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Legal Services	Executive Committee	SP030	CEO	ATC	CEO
Town Hall facilities	Executive Committee	SP062	CEO	ATC	ATC
Monitoring policy and financial matters	Executive Committee	All Services	CEO	N/A	N/A
Disposal and acquisition of property	Executive Committee	N/A	CEO	ATC	N/A
Approval and monitoring of Corporate Plan	Executive Committee	SP120	CEO	N/A	CEO
Media Relations	Executive Committee	SP120	CEO	HoD&I	CEO
Emergency Planning	Executive Committee	SP120	CEO	HoD&I	CEO
Risk Management	Executive Committee	SP120	CEO	N/A	CEO
Human Resources	Executive Committee	SP050	CEO	ACO(HR)	ACO(HR)
Employment and staffing matters out with the Scheme of Delegation	Executive Committee	SP050	CEO	ACO(HR)	ACO(HR)
Health and Safety	Executive Committee	SP050	CEO	ACO(HR)	ACO(HR)
Income Services	Executive Committee	SP200	DOF	ACO(I)	ACO(I)
Recommendation to Council for annual rate levy	Executive Committee	All Services	DOF	N/A	N/A
Enforcement of licence conditions	Chief Executive	SP265	CEO	ACO(R)	CEM
Enforcement of Legislation and Bylaws	Chief Executive	SP265	CEO	ACO(R)	CEM
Elections	Executive Committee	SP140	CEO	ATC	ATC
Information Technology	Executive Committee	SP220	CEO	HoD&I	HoD&I
CCTV	Executive Committee	SP266	CEO	HoD&I	HoD&I
Maintenance of properties excluding Housing and Commercial	Executive Committee	SP350	DHP	ACO(H&P)	ACO(H&P)

REGENERATION & COMMUNITY COMMITTEE

Function	To whom Function Delegated	Service	Chief Officer	Assistant Chief Officer	Budget Manager
Promenade Redevelopment	Regeneration & Community Committee	N/A	DOER	ACO(R)	N/A
Parks and open spaces including town squares, playgrounds and hanging baskets	Regeneration & Community Committee	SL110	DOER	ACO(R)	HoP
Summerhill Glen Decorative Lighting	Regeneration & Community Committee	SL180	DOER	ACO(E)	ESM
Marine Gardens	Regeneration & Community Committee	SL060	DOER	ACO(R)	HoP
Allotments	Regeneration & Community Committee	SL110	DOER	ACO(R)	HoP
Noble's Park	Regeneration & Community Committee	SL080	DOER	ACO(R)	HoP
Ballaughton Nursery	Regeneration & Community Committee	SL100	DOER	ACO(R)	HoP
Douglas Golf Course	Regeneration & Community Committee	SL150	DOER	ACO(R)	HoP
Cemeteries	Regeneration & Community Committee	SH060	DOER	ACO(R)	HoP
Crematorium	Regeneration & Community Committee	SH070	DOER	ACO(R)	HoP
Regeneration Senior Management & Admin	Regeneration & Community Committee	SL220	DOER	ACO(R)	ACO(R)
Library Services	Regeneration & Community Committee	SL010	DOF	ACO(I)	BL

Community Events	Regeneration & Community Committee	SP100	CEO	ATC	ATC
Twinning	Regeneration & Community Committee	SP100	CEO	ATC	ATC
(TCM) Strategic partnerships and town centre regeneration	Executive Committee	SP160	DOER	ACO(R)	TCM
(TCM) Licensing of Street Traders	Chief Executive	SP160	DOER	ACO(R)	TCM
(TCM) Licensing of Street Collections	Chief Executive	SP160	DOER	ACO(R)	TCM
(TCM) Licensing of Highway Obstructions	Chief Executive	SP160	DOER	ACO(R)	TCM

HOUSING & PROPERTY COMMITTEE

Function	To whom Function Delegated	Service	Chief Officer	Assistant Chief Officer	Budget Manager
Housing Services including letting and maintenance of public sector housing properties	Housing & Property Committee	SH120	DOHP	ACO(H&P)	HM
Housing service income and rates	Housing & Property Committee	SH100	DOHP	ACO(H&P)	ACO(I)
Housing Sheltered Accommodation	Housing & Property Committee	SH110-3	DOHP	ACO(H&P)	AHM(S)
Housing Capital Programme	Housing & Property Committee	N/A	DOHP	ACO(H&P)	N/A
Maintenance of all housing property owned by the Council with the exception of those properties subject to commercial leases (see SP255)	Housing & Property Committee	SH020-025	DOHP	ACO(H&P)	AHM(M)
Maintenance of commercial property owned or leased by the Council, other than public sector housing	Regeneration & Community Committee	SP255	DOHP	ACO(H&P)	ACO(H&P)
Letting of commercial properties owned by the Council	Regeneration & Community Committee	SP255	DOHP	ACO(H&P)	ACO(H&P)

ENVIRONMENTAL SERVICES COMMITTEE

Function	To whom Function Delegated	Service	Chief Officer	Assistant Chief Officer	Budget Manager
Street Cleansing including gully emptying	Environmental Services Committee	SW230	DOER	ACO(E)	AWSM(S&E)
Civic Amenity Site - operation	Environmental Services Committee	DL010	DOER	ACO(E)	AWSM(S&E)
Civic Amenity Site – administration	Environmental Services Committee	SW215	CEO	ATC	ATC
Public Conveniences	Environmental Services Committee	SW210	DOER	ACO(E)	SE&WSM
Refuse collection	Environmental Services Committee	SW221	DOER	ACO(E)	AWSM(R&R)
Recycling	Environmental Services Committee	SW222-3	DOER	ACO(E)	AWSM(R&R)
Public lighting (including Summerhill Glen except decorative lighting)	Environmental Services Committee	SW070	DOER	ACO(E)	ESM
Decorative lighting (except in Summerhill Glen)	Environmental Services Committee	SW050	DOER	ACO(E)	ESM
Other electrical maintenance of Council property	Environmental Services Committee	SW060	DOER	ACO(E)	ESM
Environmental Health	Environmental Services Committee	N/A	CEO	ATC	N/A
Car Parks	Environmental Services Committee	SW025-37	DOER	ACO(R)	CEM
Promenade and Beach	Environmental Services Committee	SW120	DOER	ACO(E)	SE&WSM
Garage and Fleet	Environmental Services Committee	SW160	DOER	ACO(E)	T&PM

Environmental Senior Management & Admin including Stores and Purchasing	Environmental Services Committee	SW180	DOER	ACO(E)	ACO(E)
Town and Country Planning matters	Chief Executive	SW015	DOER	ACO(R)	CEM
Building Regulations	Chief Executive	SW010	DOER	ACO(R)	BCM
Dilapidated Buildings	Environmental Services Committee	SW015	DOER	ACO(R)	CEM

The recharges to other Local Authorities will be carried out by the Finance Department.

PENSIONS COMMITTEE

Function	To whom Function Delegated	Service	Chief Officer	Assistant Chief Officer	Budget Manager
Isle of Man Local Government Superannuation Scheme – Administration	Pensions Committee	SP500	DOF	ACO(F)	ACO(F)
Isle of Man Local Government Superannuation Scheme – Investment	Pensions Committee	SP500	DOF	ACO(F)	ACO(F)

STANDARDS COMMITTEE

Function	To whom Function Delegated	Service	Chief Officer	Assistant Chief Officer	Budget Manager
Members' Conduct (including independent Members)	Standards Committee	SP140	CEO	ATC	ATC
Maintaining and improving governance of the Council	Standards Committee	SP140	CEO	ATC	ATC
Reporting annually to Council on ethical governance within it	Standards Committee	SP140	CEO	ATC	ATC
Advising Council on adoption and revision of Code of Conduct for Members	Standards Committee	SP140	CEO	ATC	ATC
Monitoring operation of the Code of Conduct for Members	Standards Committee	SP140	CEO	ATC	ATC
Induction and training of Members and Independent Members	Standards Committee	SP140	CEO	ATC	ATC
Assisting the recruitment of Independent Members	Standards Committee	SP140	CEO	ATC	ATC

Key to Officers:

Chief Officers

CEO	Chief Executive
DOF	Director of Finance
DOHP	Director of Housing and Property
DOER	Director of Environment and Regeneration

Assistant Chief Officers

ATC	Assistant Town Clerk
ACO(HR)	Assistant Chief Officer (Human Resources)
ACO(R)	Assistant Chief Officer (Regeneration)
ACO(F)	Assistant Chief Officer (Finance)
ACO(I)	Assistant Chief Officer (Income)
ACO(E)	Assistant Chief Officer (Environment)
ACO(H&P)	Assistant Chief Officer (Housing and Property)

Budget Managers (not listed above)

HoP	Head of Parks
BL	Borough Librarian
HM	Housing Manager
AHM(M)	Assistant Housing Manager (Maintenance)
AHM(S)	Assistant Housing Manager (Services)
AWSM(S&E)	Assistant Waste Service Manager (Street Scene & Eastern Civic Amenity Site)
AWSM(R&R)	Assistant Waste Service Manager (Refuse & Recycling)
ESM	Electrical Services Manager
SE&WSM	Senior Engineering & Waste Services Manager
T&PM	Transport and Plant Manager
BCM	Building Control Manager
CEM	Community & Enforcement Manager
TCM	Town Centre Manager
HoD&I	Head of Digital & Information