

Public Document Pack



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3 July 2020

Dear Councillor

ARRANGEMENTS MADE BY THE LEADER OF THE COUNCIL FOR THE DISCHARGE OF EXECUTIVE FUNCTIONS

Please find attached a decision notice relating to amendments made to the Scheme of Officer Delegations by the Leader of the Council in anticipation of the Business and Planning Bill which will introduce the concept of pavement licences.

Members of the public who require further information are asked to contact Kate Batty-Smith on 01304 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely



Democratic Services Officer

ENCL

1 **ARRANGEMENTS MADE BY THE LEADER OF THE COUNCIL FOR THE DISCHARGE OF EXECUTIVE FUNCTIONS** (Pages 2-3)

**COMMITTEE SECTION ONLY**

Arrangement No: 05/20

Date: 3 July 2020

Arrangements Made by the Leader of the Council for the Discharge of Executive Functions under Section 9E (2) Local Government Act 2000 (as amended)

Schemes of Delegation of Executive Functions to Executive Members/Executive Committees/Officers

I hereby make arrangements for the discharge of the executive functions specified at Box A below and give notice to the Monitoring Officer that I have done so.

A. Specify the Arrangements being made:

That the arrangements for the discharge of executive functions set out in Section 6 of Part 3 of the Council's Constitution be amended by the insertion of the following delegation to the Head of Regulatory Services, the Public Protection Manager and the Licensing Team Leader:

Column 1 Legislation	Column 2 Brief Description	Column 3 Conditions/Exclusions/Limitations/Notes
Business & Planning Act 2020 (Part I)	To exercise the Council's powers and functions in relation to Pavement Licences	

B. Specify the date from which the arrangements/amendment(s) are to have effect:

From the date upon which the Leader signs this document.

C. State whether the arrangements/amendment(s) made affect executive members or officers:

The proposed change will give additional powers to Officers.

D. State reasons for, and effect of, the arrangements/amendment(s):

The Government has recently introduced the Business & Planning Bill, which is expected to receive Royal Assent around the 6 July 2020. This introduces a concept of Pavement Licences, which means a streamlined route for businesses such as cafes, restaurants and bars to secure a licence to place furniture on the highway. This is intended to support them to operate safely while social distancing measures remain in place. At present, the draft legislation makes no reference to whether this function is to be discharged by the Executive or the Council. In the absence of any specific statutory provision, Section 9D of the Local Government Act 2000 provides that it shall be an Executive function and therefore the Leader is asked to delegate this to the Officers named above to allow these functions to be discharged.

In the event that the Bill, when made law, includes such a provision which makes this a Council function, the Regulatory Committee is also being asked to make identical delegations to officers, to ensure that these functions can be discharged in a timely way.

E. State whether, in the view of the Leader of the Council, the effect of the arrangements/amendment(s) is to withdraw delegations from the executive as a whole, a committee of the executive or an individual executive member (in any such case) to any significant extent:

No.

F. State anticipated date of report to Council:

To be confirmed.

Signed: _____
Leader of the Council

Dated: 1 July 2020