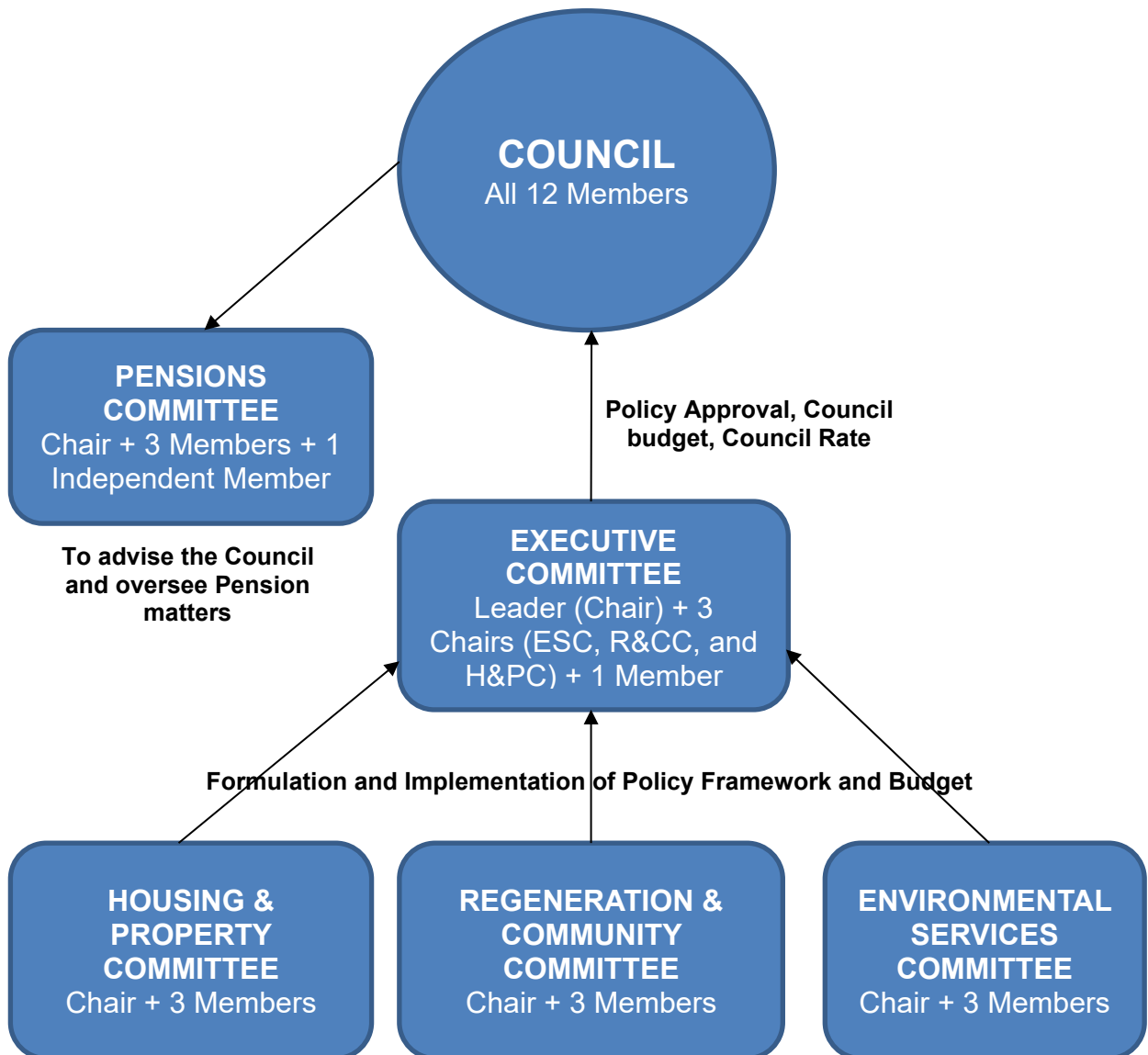


## **Part 3**

### **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 the 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.



**ASSIGNMENT OF RESPONSIBILITIES BY COUNCIL AND COMMITTEE**

| <b>Function</b>                                                                                                                                                                                                                                                                                           | <b>Portfolio</b> | <b>Cost Centre</b> | <b>Chief Officer</b> | <b>Assistant Chief Officer</b> | <b>Budget Manager</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------|----------------------|--------------------------------|-----------------------|
| 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 and Pensions 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 and City     | 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**

| <b>Function</b>                                                                                                                                                                                                                                                                                                                       | <b>To whom Function Delegated</b> | <b>Cost Centre</b> | <b>Chief Officer</b> | <b>Assistant Chief Officer</b> | <b>Budget Manager</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------|----------------------|--------------------------------|-----------------------|
| 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                  | ACO(DS)                        | N/A                   |
| Responding to Government Consultation Documents                                                                                                                                                                                                                                                                                       | Executive Committee               | N/A                | CEO                  | ACO(DS)                        | N/A                   |
| Civic and ceremonial matters                                                                                                                                                                                                                                                                                                          | Executive Committee               | 2313 & 2311        | CEO                  | ACO(DS)                        | ACO(DS)               |
| Financial Management                                                                                                                                                                                                                                                                                                                  | Executive Committee               | 3211               | DOF                  | ACO(F)                         | ACO(F)                |
| Financial matters not reserved to full Council                                                                                                                                                                                                                                                                                        | Executive Committee               | 3211               | DOF                  | ACO(F)                         | ACO(F)                |
| Use of the Council's Reserves, Funds and Capital Receipts                                                                                                                                                                                                                                                                             | Executive Committee               | 3212               | DOF                  | DOF                            | DOF                   |
| Authorising the use of the corporate Seal                                                                                                                                                                                                                                                                                             | Executive Committee               | N/A                | CEO                  | ACO(DS)                        | N/A                   |

|                                                                   |                     |              |      |          |          |
|-------------------------------------------------------------------|---------------------|--------------|------|----------|----------|
| Legal Services                                                    | Executive Committee | 2111         | CEO  | ACO(DS)  | CEO      |
| City Hall facilities                                              | Executive Committee | 2312         | CEO  | ACO(DS)  | ACO(DS)  |
| Monitoring policy and financial matters                           | Executive Committee | All Services | CEO  | N/A      | N/A      |
| Disposal and acquisition of property                              | Executive Committee | N/A          | CEO  | ACO(DS)  | N/A      |
| Approval and monitoring of Corporate Plan                         | Executive Committee | 2112         | CEO  | N/A      | CEO      |
| Media Relations                                                   | Executive Committee | 2112         | CEO  | HoD&I    | CEO      |
| Emergency Planning                                                | Executive Committee | 2112         | CEO  | HoD&I    | CEO      |
| Risk Management                                                   | Executive Committee | 2112         | CEO  | N/A      | CEO      |
| Human Resources                                                   | Executive Committee | 2211         | CEO  | ACO(HR)  | ACO(HR)  |
| Employment and staffing matters out with the Scheme of Delegation | Executive Committee | 2211         | CEO  | ACO(HR)  | ACO(HR)  |
| Health and Safety                                                 | Executive Committee | 2211         | CEO  | ACO(HR)  | ACO(HR)  |
| Income Services                                                   | Executive Committee | 3111         | 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     | 1222         | CEO  | ACO(R)   | CEM      |
| Enforcement of Legislation and Bylaws                             | Chief Executive     | 1222         | CEO  | ACO(R)   | CEM      |
| Elections                                                         | Executive Committee | 2311         | CEO  | ACO(DS)  | ACO(DS)  |
| Information Technology                                            | Executive Committee | 2411         | CEO  | HoD&I    | HoD&I    |
| CCTV                                                              | Executive Committee | 2411         | CEO  | HoD&I    | HoD&I    |
| Maintenance of properties excluding Housing and Commercial        | Executive Committee | 4111 & 4112  | DHP  | ACO(H&P) | ACO(H&P) |
| (CCM) Strategic partnerships and city centre regeneration         | Executive Committee | 1231         | DOER | ACO(R)   | CCM      |
| Maintaining and improving governance of the Council               | Standards Committee | 2311         | CEO  | ACO(DS)  | ACO(DS)  |
| Douglas Youth Council                                             | Democratic Services | 2311         | CEO  | ACO(DS)  | ACO(DS)  |

**REGENERATION & COMMUNITY COMMITTEE**

| <b>Function</b>                                 | <b>To whom Function Delegated</b>  | <b>Cost Centre</b> | <b>Chief Officer</b> | <b>Assistant Chief Officer</b> | <b>Budget Manager</b> |
|-------------------------------------------------|------------------------------------|--------------------|----------------------|--------------------------------|-----------------------|
| Promenade Redevelopment                         | Regeneration & Community Committee | N/A                | DOER                 | ACO(R)                         | N/A                   |
| Parks and open spaces including hanging baskets | Regeneration & Community Committee | 1243               | DOER                 | ACO(R)                         | HoP                   |
| Marine Gardens                                  | Regeneration & Community Committee | 1242               | DOER                 | ACO(R)                         | HoP                   |
| Allotments                                      | Regeneration & Community Committee | 1243               | DOER                 | ACO(R)                         | HoP                   |
| Noble's Park                                    | Regeneration & Community Committee | 1241               | DOER                 | ACO(R)                         | HoP                   |
| Ballaughton Nursery                             | Regeneration & Community Committee | 1244               | DOER                 | ACO(R)                         | HoP                   |
| Douglas Golf Course                             | Regeneration & Community Committee | 1245               | DOER                 | ACO(R)                         | HoP                   |
| Cemeteries                                      | Regeneration & Community Committee | 1251               | DOER                 | ACO(R)                         | HoP                   |
| Crematorium                                     | Regeneration & Community Committee | 1251               | DOER                 | ACO(R)                         | HoP                   |
| Promenade, Beach and Port Skillion              | Regeneration & Community Committee | 1246               | DOER                 | ACO(R)                         | AHoP(T)               |
| Regeneration Senior Management & Admin          | Regeneration & Community Committee | 1261               | DOER                 | ACO(R)                         | ACO(R)                |
| Library Services                                | Regeneration & Community Committee | 3121               | DOF                  | ACO(I)                         | CL                    |
| Community Events                                | Regeneration & Community Committee | 2314               | CEO                  | ACO(DS)                        | ACO(DS)               |

|                                         |                                    |      |      |         |         |
|-----------------------------------------|------------------------------------|------|------|---------|---------|
| Twining                                 | Regeneration & Community Committee | 2314 | CEO  | ACO(DS) | ACO(DS) |
| (CCM) Licensing of Street Traders       | Chief Executive                    | 1231 | DOER | ACO(R)  | CCM     |
| (CCM) Licensing of Street Collections   | Chief Executive                    | 1231 | DOER | ACO(R)  | CCM     |
| (CCM) Licensing of Highway Obstructions | Chief Executive                    | 1231 | DOER | ACO(R)  | CCM     |

**HOUSING & PROPERTY COMMITTEE**

| <b>Function</b>                                                                                                                         | <b>To whom Function Delegated</b> | <b>Cost Centre</b> | <b>Chief Officer</b> | <b>Assistant Chief Officer</b> | <b>Budget Manager</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|--------------------|----------------------|--------------------------------|-----------------------|
| Housing Services including letting and maintenance of public sector housing properties                                                  | Housing & Property Committee      | 6131               | DOHP                 | ACO(H&P)                       | HPOM                  |
| Housing service income and rates                                                                                                        | Housing & Property Committee      | 6132               | DOHP                 | ACO(H&P)                       | ACO(I)                |
| Housing Sheltered Accommodation                                                                                                         | Housing & Property Committee      | 6121               | DOHP                 | ACO(H&P)                       | AHM(S)                |
| Maintenance of all housing property owned by the Council with the exception of those properties subject to commercial leases (see 4121) | Housing & Property Committee      | 6111               | DOHP                 | ACO(H&P)                       | AHM(M)                |
| Maintenance of commercial property owned or leased by the Council, other than public sector housing                                     | Housing & Property Committee      | 4121               | DOHP                 | ACO(H&P)                       | ACO(H&P)              |
| Letting of commercial properties owned by the Council                                                                                   | Housing & Property Committee      | 4121               | DOHP                 | ACO(H&P)                       | ACO(H&P)              |

**ENVIRONMENTAL SERVICES COMMITTEE**

| <b>Function</b>                                                         | <b>To whom Function Delegated</b> | <b>Cost Centre</b> | <b>Chief Officer</b> | <b>Assistant Chief Officer</b> | <b>Budget Manager</b> |
|-------------------------------------------------------------------------|-----------------------------------|--------------------|----------------------|--------------------------------|-----------------------|
| Street Cleansing including gully emptying                               | Environmental Services Committee  | 1111               | DOER                 | ACO(E)                         | AWSM(S&E)             |
| Civic Amenity Site - operation                                          | Environmental Services Committee  | 1112               | DOER                 | ACO(E)                         | AWSM(S&E)             |
| Civic Amenity Site – administration                                     | Environmental Services Committee  | 2315               | CEO                  | ACO(DS)                        | ACO(DS)               |
| Public Conveniences                                                     | Environmental Services Committee  | 1131               | DOER                 | ACO(E)                         | SE&WSM                |
| Refuse collection                                                       | Environmental Services Committee  | 1121               | DOER                 | ACO(E)                         | AWSM(R&R)             |
| Recycling                                                               | Environmental Services Committee  | 1122               | DOER                 | ACO(E)                         | AWSM(R&R)             |
| Public lighting                                                         | Environmental Services Committee  | 1141               | DOER                 | ACO(E)                         | ESM                   |
| Decorative lighting                                                     | Environmental Services Committee  | 1142               | DOER                 | ACO(E)                         | ESM                   |
| Other electrical maintenance of Council property                        | Environmental Services Committee  | 1143               | DOER                 | ACO(E)                         | ESM                   |
| Environmental Health                                                    | Environmental Services Committee  | N/A                | DOER                 | ACO(E)                         | N/A                   |
| Car Parks                                                               | Environmental Services Committee  | 1223-4             | DOER                 | ACO(R)                         | CEM                   |
| Garage and Fleet                                                        | Environmental Services Committee  | 1151               | DOER                 | ACO(E)                         | T&PM                  |
| Environmental Senior Management & Admin including Stores and Purchasing | Environmental Services Committee  | 1161               | DOER                 | ACO(E)                         | ACO(E)                |

|                                   |                                  |      |      |        |     |
|-----------------------------------|----------------------------------|------|------|--------|-----|
| Town and Country Planning matters | Chief Executive                  | 1221 | DOER | ACO(R) | CEM |
| Building Regulations              | Chief Executive                  | 1211 | DOER | ACO(R) | BCM |
| Dilapidated Buildings             | Environmental Services Committee | 1221 | DOER | ACO(R) | CEM |

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

**PENSIONS COMMITTEE**

| <b>Function</b>                                                     | <b>To whom Function Delegated</b> | <b>Cost Centre</b> | <b>Chief Officer</b> | <b>Assistant Chief Officer</b> | <b>Budget Manager</b> |
|---------------------------------------------------------------------|-----------------------------------|--------------------|----------------------|--------------------------------|-----------------------|
| Isle of Man Local Government Superannuation Scheme – Administration | Pensions Committee                | 8101               | DOF                  | ACO(F)                         | ACO(F)                |
| Isle of Man Local Government Superannuation Scheme – Investment     | Pensions Committee                | 8101               | DOF                  | ACO(F)                         | ACO(F)                |

**STANDARDS COMMITTEE**

| <b>Function</b>                                         | <b>To whom Function Delegated</b> | <b>Cost Centre</b> | <b>Chief Officer</b> | <b>Assistant Chief Officer</b> | <b>Budget Manager</b> |
|---------------------------------------------------------|-----------------------------------|--------------------|----------------------|--------------------------------|-----------------------|
| Members' Conduct (including independent Members)        | Standards Committee               | 2311               | CEO                  | ACO(DS)                        | ACO(DS)               |
| Monitoring operation of the Code of Conduct for Members | Standards Committee               | 2311               | CEO                  | ACO(DS)                        | ACO(DS)               |

**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**

|          |                                                |
|----------|------------------------------------------------|
| ACO(DS)  | Assistant Chief Officer (Democratic Services)  |
| 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                                                               |
| CL        | City Librarian                                                              |
| HPOM      | Housing & Property Operations 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                                             |
| CCM       | City Centre Manager                                                         |
| HoD&I     | Head of Digital & Information                                               |
| AHoP(T)   | Assistant Head of Parks (Technical)                                         |