

GREATER **LONDON** AUTHORITY

REQUEST FOR MAYORAL DECISION – MD1500

Title: Mayoral Scheme of Delegation

Executive Summary:

The Mayor's approval is sought for the revised Mayoral Scheme of Delegation for 2015-16. The Scheme is revised annually.

Decision:

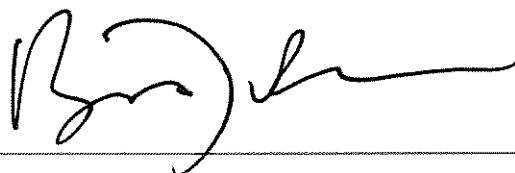
That the Mayor approves the appended Scheme of Delegation.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision, and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Date:

12/5/15

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Scheme of Delegation

- 1.1 The Mayor's approval is sought for the revised Mayoral Scheme of Delegation for 2015-16. The Scheme is revised annually.
- 1.2 The principal changes made are listed below. The revised Scheme comes into force on 1 June 2015.

Giving of Mayoral consents

Text has been included at paragraph 1.5 on page 4 to clarify that the giving of Mayoral consent under any statutory requirement (e.g. provision of financial assistance by MDCs) or such as may be required by a Mayoral direction (e.g. under the LLDC Governance Direction) explicitly falls under the Mayoral Scheme of Delegation and can be provided by staff listed in Annex 2 under the General Delegation.

GLRO functions

It has been explicitly recognised that the GLRO's functions should be exercised on an independent and impartial basis and free from political interference (see paragraphs 2.2, 2.4 and 5.22 on pages 5, 6 and 20 respectively).

Approval of Affordable Housing Programme budget

The text in paragraph 5.9 on page 13 explains how the Affordable Housing Programme is approved and is treated as Routine Expenditure. It has been amended to reflect current practice, where a Programme-level MD is signed by the Mayor and updates on additional allocations are published quarterly.

Routine Land and Property Transactions

"Routine Land and Property Transactions" are to be regarded as Routine Expenditure, so that once the GLA Budget is approved by the Mayor no further decision form (MD, DD etc) is required and the normal record keeping requirement applies (see paragraph 5.12 on page 15).

Mayoral appointments

The appointment to a position created under section 30 that is remunerated is to be approved by MD, rather than by letter, to reflect the commitment given to the GLA's external auditors following questions from the Assembly on the nature of such appointments (see table 4 on page 23).

2. Equality comments

- 2.1 There are no specific equality issues arising.

3. Financial comments

- 3.1 The Scheme sets out certain financial thresholds for decision-making purposes.

4. Legal comments

- 4.1 The GLA Act 1999 contains two provisions enabling the Mayor to authorise members of GLA staff to undertake functions exercisable by him ("Mayoral powers") on a general basis, whether given in the name of the Mayor or to the GLA, which by operation of s 35, GLA Act 1999, are exercisable by him on the GLA's behalf. Section 380(1) allows him to delegate his functions (with certain exceptions) concerning culture, media and sport under Part X of the GLA Act 1999 to members of staff of the GLA subject to conditions.
- 4.2 Section 38(1) permits the Mayor to delegate to GLA staff his remaining functions (with certain exceptions) under that Act and also under any other applicable legislation, again subject to conditions. The proposed revised Scheme complies with both provisions. The matters listed in Part 1 of Annex 1 of the proposed Scheme (Mayoral Reserved Matters) reflect the functions that must by law be exercised by the Mayor personally; these cannot be delegated under any circumstance.
- 4.3 The proposed revised Scheme continues to impose a number of conditions on the authorisations he grants. These conditions are designed to continue to provide clarity, scrutiny and co-ordination as to the operation of the Scheme including the General Delegation to specified Senior Members of Staff. The General Delegation is intended to be all encompassing, allowing the post holder to exercise the Mayoral power in question and to do anything that facilitates, is conducive or incidental to doing so. The conditions also reflect the longstanding public law principle that decisions that are essentially procedural or administrative in nature can be delegated to others.

5. Investment & Performance Board

- 5.1 This decision falls outside the terms of reference for the Investment & Performance Board.

Appendices and supporting papers:

Appendix: The Mayoral Scheme of Delegation

Public access to information

Information in this form is subject to the Freedom of Information Act 2000 (FOI Act) and other legislation. Part 1 of this form will be made available on the GLA website within 1 working day of approval.

Part 1 deferral: Any fact or information whose release before a specific date would compromise the implementation of the decision may be included in Part 1, with Part 1 being deferred until after that date. Deferral periods should be kept to the shortest length strictly necessary.

Is the publication of this approval to be deferred? NO

If YES, for what reason:

Until what date:

Part 2 confidentiality: Any fact and advice that should not be automatically made public should be in the separate Part 2 form, together with the rationale for confidentiality.

Is there a part 2 form – NO**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

Drafting officer:

Tom Middleton has drafted this report in accordance with GLA procedures and confirms the following have been consulted on the final decision.

✓

Assistant Director/Head of Service:

Tom Middleton has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

Sponsoring Director:

Martin Clarke has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

Sir Edward Lister has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

m. j. alle

Date

6.5.15

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature

E. Lister

Date

06:05:2015