

## Constitutional Amendments & Reporting

### REPORT TO FULL COUNCIL



<b>DATE</b>	<b>22/07/2021</b>
<b>PORTFOLIO</b>	<b>Leader</b>
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### PURPOSE

1. To inform Full Council of the urgent decision made by the Chief Executive (Council Function) relating to establishing a budget for the Holiday Activities and Food (HAF) Programme 2021.
2. To inform Members of a waiver of call-in relating to an urgent decision taken by the Executive on a Levelling Up Fund Bid.
3. To inform Members of the detailed Part 3 Executive Portfolios 2021-22 which the Leader has agreed.
4. To consider a change to the Managing Attendance Policy and approve a subsequent Part 3 delegation (Council Function) to the Chief Operating Officer.
5. To consider a recommendation from Licensing Committee that Part 3 (Council Functions) relating to Licensing Committee be amended to add revocation of vehicle licences to the delegations of the Head of Legal and Democratic Services.

### RECOMMENDATION

6. That the urgent decision made by the Chief Executive (Council Function) on 18<sup>th</sup> June 2021 relating to establishing a budget for the Holiday Activities and Food (HAF) Programme 2021 be noted (Appendix 1- Minute, and Executive Minute and Report).
7. That the waiver of call in granted relating to an urgent decision taken by the Executive on 17<sup>th</sup> June 2021 relating to the Levelling Up Fund Bid be noted (Appendix 2).
8. That the detailed Part 3 Executive Portfolios 2021-22 which the Leader agreed on 1<sup>st</sup> June 2021 be noted (Appendix 3).
9. That a change to the current Managing Attendance Policy (Appendix 4) be approved, and that the subsequent Part 3 delegation (Council Function) to the Chief Operating Officer also be approved, as set out in Paragraph 16.
10. That a recommendation from Licensing Committee be approved that Part 3 (Council Functions) of the constitution relating to Licensing Committee be amended to add revocation of vehicle licences to the delegations of the Head of Legal and Democratic Services (Appendix 5 - Licensing Minute and Report).

### REASONS FOR RECOMMENDATION

11. To ensure that the requirements of the Constitution are upheld and transparency is maintained.
12. To ensure the Constitution is kept up to date and to enable decisions to be taken promptly.

<b>SUMMARY OF KEY POINTS</b>
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13. At the 9 June 2021 Executive a report was approved which accepted external funding from LCC for a Holiday Activities and Food (HAF) Programme 2021, Within the report was a recommendation to establish a budget for the Programme, and due to urgency this was done by the Chief Executive on 18 June 2021 using the Part 3 Urgency (Council) delegation (Minute, and Executive Minute and Report attached as Appendix 1).
14. Part 4.5 of the constitution requires that a waiver to call-in be reported at Full Council. The Chair of Scrutiny waived call-in regarding the following decision: Levelling Up Fund Bid -17 June 2021 Executive.  
The 17 June 2021 Executive confirmed the waiver -see Minutes (Appendix 2).
15. At the 19 May 2021 Appointments Council the Leader informed Members of the Executive Members for 2021-22 together with Portfolio titles. On 1<sup>st</sup> June 2021 the Leader agreed detailed Part 3 Executive Portfolios for 2021-22 (Appendix 3) and they were published as an Appendix to the Council's constitution.  
Part 2 Article 7 of the constitution requires the detailed Part 3 Portfolios to be reported to Full Council for noting.
16. The Council's current Managing Attendance at Work Policy (Dec 2019) in Paragraph 9 relating to Permanent Ill Health Retirement refers to "...a decision on which tier of ill health benefits is to be paid will be made by the **Council...**". (Appendix 4)  
It is proposed that the reference to "Council" be clarified and amended to "**Chief Operating Officer in consultation with the Executive Member for Resources and Performance on behalf of the Council.**"  
Similarly in the next sentence relating to "if an ill health certificate is issued and is authorised by the **Council..**", it is proposed that the reference to "Council" be clarified and amended to "**Chief Operating Officer on behalf of the Council.**"  
  
Consequently it is also proposed that Part 3 (Council) delegations for the Chief Operating Officer be updated to include the relevant delegation, as follows;  
"To determine as part of the Council's Managing Attendance at Work Policy relating to Permanent Ill Health Retirement (Paragraph 9) which tier of ill health benefits is to be paid in consultation with the Executive Member for Resources and performance, and if an ill health certificate is issued to authorise it".
17. On 23<sup>rd</sup> June 2021 Licensing Committee considered a report on Improving Vehicle Standards , and recommended that Part 3 (Council Functions) relating to Licensing Committee be amended to add revocation of vehicle licences to the Head of Legal and Democratic Services (HoL&DS) delegations as follows:  
At Part 3 1(b) Licensing Committee HoL&DS para 1(e)- **To be responsible for the suspension and revocation of Hackney Carriage vehicle licences and Private Hire vehicle licences**  
The relevant Licensing Committee Minute and Report are attached as Appendix 5.

<b>FINANCIAL IMPLICATIONS AND BUDGET PROVISION</b>
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18. None

<b>POLICY IMPLICATIONS</b>
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19. None.

<b>DETAILS OF CONSULTATION</b>
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20. Member Structures and Support Officer/Working Group.

<b>BACKGROUND PAPERS</b>
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21. None.

<b>FURTHER INFORMATION</b>
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**PLEASE CONTACT:**

**ALSO:**