

**Constitutional Amendments & Reporting**

**REPORT TO FULL COUNCIL**



<b>DATE</b>	<b>13/04/2022</b>
<b>PORTFOLIO</b>	<b>Leader</b>
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**PURPOSE**

1. To inform Members of a waiver of call-in relating to an urgent decision (Executive Functions) taken by the Executive on 16 March 2022 relating to Towneley Hall Grant Acceptance.
2. To request that Part 3 (Council Functions) Scheme of Delegation relating to the Licensing Committee and the Head of Streetscene be amended to include various delegations regarding the Licensing Act (LA) 2003 and its functions, and that the already established LA 2003 Licensing Sub Committee be formally added to Part 3 (Council Functions) under Licensing Committee.
3. To note the proposed withdrawal from the Joint Agreement of Pennine Lancashire Building Control by the Executive, and accordingly its removal from Part 3 of the Council's constitution at the relevant time.

**RECOMMENDATION**

4. That Council notes the waiver of call in granted relating to an urgent decision (Executive Functions) taken by the Executive on 16 March 2022 (Minute to follow as Appendix 1) relating to Towneley Hall Grant Acceptance.
5. That Part 3 (Council Functions) Scheme of Delegation relating to the Licensing Committee and the Head of Streetscene be amended to include various delegations regarding the Licensing Act 2003, and that the already established LA 2003 Licensing Sub Committee be formally added to Part 3 Council Functions) with its functions under Licensing Committee, as set out in Para 11 of the report.
6. That the proposed withdrawal from the Joint Agreement of Pennine Lancashire Building Control by the Executive, and accordingly its removal from Part 3 of the Council's constitution at the relevant time be noted.

## REASONS FOR RECOMMENDATION

7. To ensure that the requirements of the Constitution are upheld and transparency is maintained.
8. To amend the Part 3 (Council Functions) Scheme of Delegation following consultation with the relevant Committee or Chair.
9. To amend the constitution as appropriate.

## SUMMARY OF KEY POINTS

10. Part 4.5 of the constitution requires that a waiver to call-in be reported at Full Council.  
The Chair of Scrutiny agreed to waive call-in regarding the following decision, and this was confirmed by the Executive;
  - i. 16 March 2022 -by Executive- regarding Towneley Hall Grant Acceptance (Appendix 1- Minute to follow)
11. The Chair of Licensing Committee (in the absence of a timely Licensing Committee) has considered an update to the Part 3 (Council Functions) Scheme of Delegation relating to the Head of Streetscene to act in the following circumstances;
  - To determine an application for a minor variation
  - To disapply the s19 requirement for a DPS at community premises

In addition it is proposed that the already established LA 2003 Licensing Sub Committee be formally added to Part 3 (Council Functions) with its functions set out under Licensing Committee, including section 20 Film Classification.  
This will then be consistent with the Taxi Licensing Sub Committee which is already within Part 3 (Council Functions) under Licensing Committee.
12. Within a separate report to the 6 April 2022 Executive and to 13 April 2022 Full Council, the proposed withdrawal from the Joint Agreement of Pennine Lancashire Building Control by the Executive, and accordingly its removal from Part 3 of the Council's constitution at the appropriate time, has been outlined.  
For completeness it is being noted on this constitutional updates report.

## FINANCIAL IMPLICATIONS AND BUDGET PROVISION

13. None

## POLICY IMPLICATIONS

14. None.

<b>DETAILS OF CONSULTATION</b>
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15. Member Structures Officer Group  
Member Structures Working Group.

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

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