

Constitutional Updates and Delegations

REPORT TO FULL COUNCIL



DATE	23/11/2016
PORTFOLIO	Leader
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PURPOSE

1. To report on constitutional updates since the last meeting regarding updates to Part 3 (Executive) of the constitution by the Leader relating to the Head of Regeneration and Planning Policy and the Chief Executive, and to the Director of Resources..
2. That Full Council consider the exercise of delegations regarding the Director of Resources.
3. That Full Council consider an update to Part 4.3 of the constitution which is the Budget and Policy Framework.

RECOMMENDATION

4. That the following constitutional updates be noted relating to Part 3 (Executive Functions) Scheme of Delegation updates by the Leader on;
 - (1) 18th October 2016 -Business Grant delegations of the Head of Regeneration and Planning Policy amended, with some also transferred to the Chief Executive (Appendix 1);
 - (2) 1st November 2016 -Delegations in the absence of the Director of Resources (Appendix 2)
5. That Full Council approve that in the absence of the Director of Resources, the Officers listed in the first column of the table in Paragraph 7 of this report shall have authority to exercise such of the powers set out in the second column of the said table as are vested in the Director of Resources, save for any such powers as are contained in Part 3 (Executive Functions) of the Council's constitution.
6. That Full Council approve an amendment to Part 4.3 of the constitution regarding Paragraph 5 (b) of the Budget and Policy Framework to update the virement level from £10k to £20k.

REASONS FOR RECOMMENDATION

7. To ensure that the requirements of the constitution are upheld, and to allow relevant decision making to continue to take place.

SUMMARY OF KEY POINTS

8. Part 3 Updates by the Leader

(a) Regeneration

On 18th October 2016 the Leader approved amendments to Business Growth delegations of the Head of Regeneration and Planning Policy and also the transfer of some of them to the Chief Executive (Appendix 1).

(b) Resources

On 1st November 2016 the Leader approved the transfer of Part 3 (Executive) delegations of the Director of Resources in her absence (Appendix 2).

The constitution requires that changes made by the Leader to Part 3 (Executive) delegations be reported to the a Council meeting at the earliest opportunity.

9. Director of Resources

The table set out below is as referred to in Paragraph 5 of this report;

<u>Officer</u>	<u>Powers</u>
Deputy Section 151 Officer	(a) all powers relating and incidental to the administration of the financial affairs of the council;
Head of People & Development	(b) all powers relating to the management, health, safety and welfare of council employees or as relate to the contractual relationship between employees and the council (insofar as those powers do not relate or are incidental to the administration of the financial affairs of the council);
Head of Governance, Law, Property & Regulation	(c) all powers which derive from statutory obligations to which the council or any of its employees or agents are subject (insofar as those powers are not otherwise delegated to another officer under paragraph (a) or (b) above)
Chief Executive	(d) all powers not otherwise delegated to an officer under paragraphs (a), (b) or (c) above.

10. Part 4.3 Budget and Policy Framework

Following recent updates to the Council's Financial Procedure Rules under Part 4.6 of the constitution which amended the budget virements, it is recommended to consequently approve an amendment to Part 4.3 of the constitution regarding Paragraph 5 (b) of the Budget and Policy Framework to update the virement level from £10k to £20k.

FINANCIAL IMPLICATIONS AND BUDGET PROVISION

11. None.

POLICY IMPLICATIONS

12. None.

DETAILS OF CONSULTATION

13. Group Leaders

BACKGROUND PAPERS

14. None.

FURTHER INFORMATION

PLEASE CONTACT: Eric Dickinson

ALSO: David Talbot