

**Constitutional Updates and Council Delegations**

**REPORT TO FULL COUNCIL**



<b>DATE</b>	<b>11/07/2018</b>
<b>PORTFOLIO</b>	<b>Leader</b>
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**PURPOSE**

1. To inform Members of the changes made to Part 3 (Executive Functions) of the constitution by the Leader/Deputy Leader, relating to the Scheme of Delegation, adding a delegation for the Head of Housing and Development Control regarding the Building Act 1984.
2. To inform Members of Minor Amendments (Executive Functions) made to Part 3 of the constitution by the Monitoring Officer relating to the Scheme of Delegation - changing the portfolio title of an Executive Member, and updating Statutory references in relation to dogs for the Head of Streetscene.
3. To inform Members of a Minor Amendment (Council Functions) made by the Monitoring Officer relating to a Licensing Policy i.e. the Street Traders Policy.

**RECOMMENDATION**

4. That the changes made to Part 3 (Executive Functions) of the constitution by the Leader/Deputy Leader be noted, as follows;
  - (a) 14<sup>th</sup> June 2018 - Additional delegation to the Head of Housing and Development Control regarding Part III of the Building Act 1984. (Appendix 1)
5. That Minor Amendments (Executive Functions) made to Part 3 of the constitution by the Monitoring Officer be noted relating to the Scheme of Delegation, regarding the portfolio title of an Executive Member being changed to Executive Member for Economy and Growth, and updating Statutory references in relation to dogs within the delegations of the Head of Streetscene
6. That a Minor Amendment (Council Functions) made by the Monitoring Officer be noted relating to a Licensing Policy i.e.the Street Traders Policy.

## REASONS FOR RECOMMENDATION

7. To ensure that the requirements of the constitution are upheld, and that maximum transparency is maintained.

## SUMMARY OF KEY POINTS

8. To Note-Changes to Part 3 of the Constitution by the Leader/Deputy Leader relating to Executive Functions

(a) Head of Housing and Development Control

On 14 June 2018 the Leader added a Part 3 Executive Functions delegation for the Head of Housing and Development Control regarding Part III of the Building Act 1984 in particular to bring vacant properties back into use (Appendix 1).

“Notwithstanding a delegation to any other Head of Service, to exercise the Council’s statutory powers and functions in Part III of the Building Act 1984 including, but not limited to, serving notices, obtaining warrants and authorising officers for the purpose of those powers and functions”

9. To note Minor Amendments (Executive Functions) made by the Monitoring Officer ;

(a) On 25<sup>th</sup> May 2018 to Part 3 (Executive Functions) by amending the Executive Portfolios to amend the portfolio title of the Executive Member for Regeneration and Economic Development to the Executive Member for Economy and Growth. (Appendix 2).

(b) On 14<sup>th</sup> May 2018 to Part 3 (Executive Functions) the delegations for the Head of Streetscene were updated in relation to dogs to delete reference to the Clean Neighbourhoods and Environment Act 2005 and replace it with the Anti-Social Behaviour, Crime and Policing Act 2014.

10. To note a Minor Amendment (Council Functions) made by the Monitoring Officer;

(a) On 15<sup>th</sup> March 2018, following Licensing Committee on 22<sup>nd</sup> February 2018, to a Licensing Policy i.e.the Street Traders Policy, to insert the following words in bold;

“The applicant must also sign up to the DBS update service applicant must also sign up to the DBS update service **as and when such service becomes available in relation to DBS basic disclosures** for the duration of the consent, and any subsequently renewed consent, so that the Council may monitor any change in circumstances.”

The Minor Amendment was reported for noting to the Licensing Committee on 14<sup>th</sup> June 2018.

**FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

11. None.

**POLICY IMPLICATIONS**

12. None.

**DETAILS OF CONSULTATION**

13. Member Structures Officer Group  
Member Structures Working Group.

**BACKGROUND PAPERS**

14. None.

**FURTHER INFORMATION**

**PLEASE CONTACT: Eric Dickinson**

**ALSO:**