

**FULL COUNCIL 16.12.15  
AGENDA ITEM 8(b)**

**GOVERNANCE COMMITTEE**

**23 NOVEMBER 2015**

**REPORT OF MONITORING OFFICER**

**CONSTITUTION UPDATE 2015 16**

**1.0 PURPOSE OF REPORT**

1.1 The Committee is requested to consider constitutional items and those approved will be referred to the Council for adoption and incorporation into the Council's Constitution.

**2.0 RECOMMENDATIONS**

2.1 To consider and approve the following new Delegations to Officers and if approved by this Committee, refer to the Full Council for adoption :-

- (a) A new Officer Delegation which was approved by the Rural, Economic and Environmental Affairs Committee at its meeting on 4 November 2015 as follows :-

**To the Head of Communities and Neighbourhoods**

In consultation with Head of Central Services to make any necessary changes to the Discretionary Business Rates Grant Scheme, that will improve the scheme to meet the purpose of providing targeted support to businesses.

- (b) Subject to approval of the Community and Social Affairs Committee at its meeting on 18 November 2015 the following new Officer Delegations :-

(i) **To the Head of Regulatory Services**

'To authorise officers to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities.'

(ii) **To the Head of Communities and Neighbourhoods**

'To authorise officers to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities.'

(iii) **To the Head of Communities and Neighbourhoods**

'To designate External Agencies Officers (ie. Regulated Social Landlords dealing with ASB, housing issues) to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities, where this be determined to be appropriate.'

**3.0 KEY ISSUES**

3.1 As the Constitution is a living document, any additions or changes are brought to the Committee's attention as soon as these come to light to enable the Council's

work to move forward and the Constitution to be as up to date as possible. The Council's Management Team and T3 (Third Tier Officer Group) are involved in updating their respective areas of the Constitution.

3.2 The Committee is to refer its recommendations for amending the Constitution to the Full Council for approval and inclusion in the Constitution.

3.3 Part 3 – New Officer Delegation – Discretionary Business Rates Grant Scheme

A new Officer Delegation was approved by the Rural, Economic and Environmental Affairs Committee at its meeting on 4 November 2015 which allows for changes to meet the needs of the service as follows :-

To the Head of Communities and Neighbourhoods

In consultation with Head of Central Services to make any necessary changes to the Discretionary Business Rates Grant Scheme, that will improve the scheme to meet the purpose of providing targeted support to businesses.

3.4 Part 3 – New Officer Delegations – Anti-social Behaviour, Crime and Policy Act 2014

Subject to approval of the Community and Social Affairs Committee at its meeting on 18 November 2015 the following new Officer Delegations are required to ensure the Council is able to meet its responsibilities under the Anti-social Behaviour, Crime and Policy Act 2014.

(i) To the Head of Regulatory Services

To authorise officers in Environmental Health to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities.

(ii) To the Head of Communities and Neighbourhoods

To authorise officers in that team (ASB Officers, Housing Officers) to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities.

(iii) To the Head of Communities and Neighbourhoods

To designate External Agencies Officers (ie. Regulated Social Landlords dealing with ASB, housing issues) to utilise the powers under the Anti-social Behaviour, Crime and Policy Act 2014 commensurate with their role and responsibilities, where this be determined to be appropriate.

3.5 The above Officer Delegations are presented for approval by this Committee before referral to the Full Council for adoption.

#### 4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 Due to the Constitution being a living document there are times when amendments are needed to enable the organisation to function efficiently. Therefore items will be referred to the Committee as required.

4.2 The regular reviews and updates to the Constitution and ensuring it is up to date on

its decision-making processes supports the Council's priority for being a 'Well run Council'.

**5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS**

5.1 Any financial and resource implications will be met from existing resources.

**6.0 LEGAL IMPLICATIONS/POWERS**

6.1 Any change in legislation overrides the current wording of the Constitution and the Monitoring Officer has delegated authority to make amendments as required by the law. Therefore such legal consequential changes will be put in place immediately and reported to the Committee as soon as possible thereafter.

**7.0 COMMUNITY SAFETY**

7.1 There are no community safety implications relating to this report.

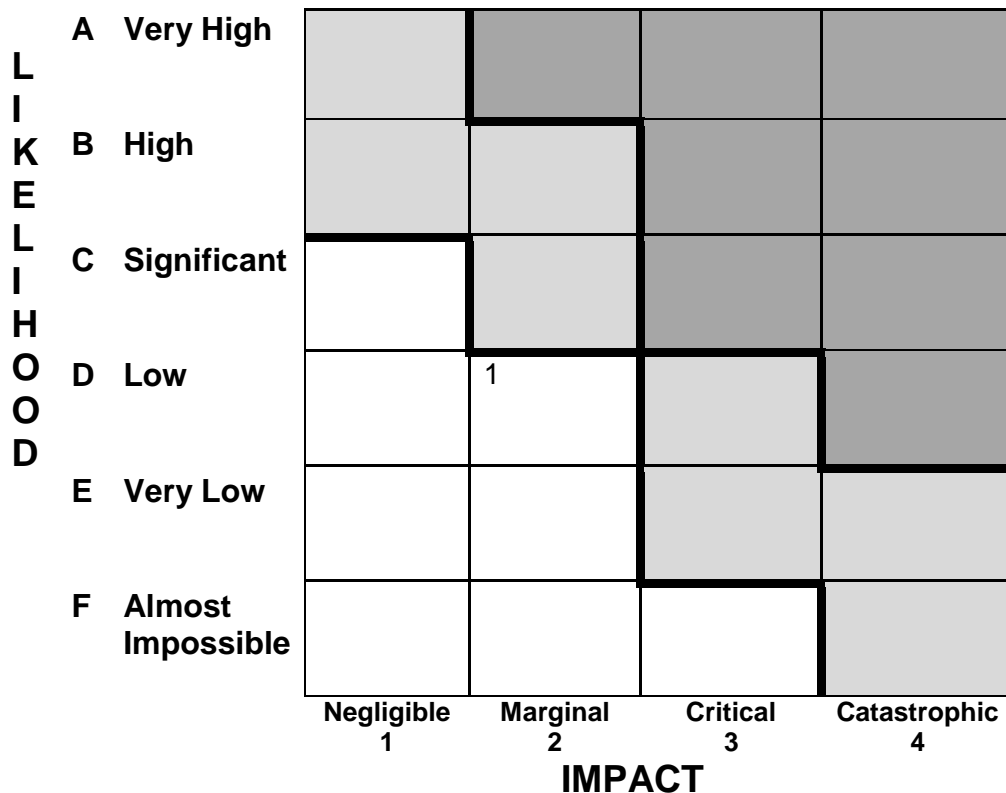
**8.0 EQUALITIES**

8.1 Equalities Screening Assessments have been drafted on the items within the report and most items presented relate to the legality of decision-making.

**9.0 RISKS**

9.1 The risks associated with report are considered to relate to following legal and constitutional procedures in decision-making.

9.2



Risk No	Risk Description
1	Decisions challenged due to appropriate processes not followed.

## 10.0 **CLIMATE CHANGE**

10.1 The Constitution is available on the Council's website and electronically to Members and Officers to meet the Council's corporate commitment to meet green targets.

## 11.0 **CONSULTATION**

11.1 There has been internal consultation with Management Team and T3 to ensure the Constitution reflects the Council's current responsibilities and arrangements.

## 12.0 **WARDS AFFECTED**

12.1 All wards are indirectly affected by this report.

Contact Officer            Angela Tebbutt/Sarah Evans  
Date:                         November 2015

Appendices :                None

Background Papers:       Constitution 2015/16

Reference :                 X : Committees\Governance\2015 16\231115\Constitution Update 2015 16