



Proposed Amendments to the Constitution

RECOMMENDATION

1. To approve the following amendments to the Constitution:

- (1) Article 4, Pages 17/18

Delete from paragraph 1c.

- Personnel Strategy
- Training and Development Policy
- Social Inclusion Strategy

- (2) Scheme of Delegations, Part F.

Substitute “Assistant Director – Personnel” for “Assistant Director – Human Resources and Diversity” wherever it appears.

- (3) Scheme of Delegations, Director of Policy, Page 87

Delete from Section D

- Personnel Strategy
- Training and Development Policy
- Social Inclusion Strategy
- Communications Strategy
- Corporate Equality Plan

Replace Section B with the following:

B Areas of Responsibility

1. Line managing Derby City Partnership and Derby Community Safety Partnership.
2. Managing corporate external funding programmes.
3. Managing Area and Neighbourhood Working, including Area Panels.
4. Managing Welfare Rights and Advice Services
5. Managing the Supporting People programme.

6. Promoting Home Energy Efficiency.
7. Providing housing advice, administering housing allocations, including making allocations in exceptional circumstances outside the Allocations Scheme in accordance with the Housing Act 1996 and the Homelessness Act 2002, and securing accommodation for homeless people.
8. Operating Derby Care Link
9. Improving and renewing private sector housing, including Houses in Multiple Occupation and improving and renewing areas/zones and undertaking periodic housing condition surveys.
10. Administering environmental improvement schemes as part of area based renewal programmes.
11. Taking enforcement action against unsatisfactory housing conditions.
12. Promoting standards within the private rented sector.
13. Administering disabled facilities grants.
14. Agreeing the Derby Homes annual delivery plan and monitoring attainment of financial and non-financial performance against the plan and Derby Homes' Business Strategy.
15. Designating council housing for identified communities of interest, such as older and younger people.
16. Providing community and housing research and strategy, including enabling the provision of new affordable housing.
17. Managing corporate consultation and communication policies and initiatives.
18. Dealing with corporate personnel functions including reviews, policy and industrial relations, equalities, occupational health, safety and welfare, employee development and Learning to Work.

(4) Scheme of Delegations, Director of Commercial Services, Page 89

Delete from Section B

3. Providing building works and property services, including providing professional architectural, quantity surveying, electrical and mechanical engineering services.
4. Managing energy efficiency and reporting on energy performance.

5. Maintaining and improving all dwellings and buildings owned by the Council other than dwellings and buildings falling within the Housing Revenue Account.
6. Maintaining and improving other property (other than dwellings).
7. In consultation with the Directors of Corporate Services and Development and Cultural Services seeking the eviction of unauthorised travellers occupying Council land and repairing damage caused by them.

In Section B:

- Add the words “street cleansing and fleet management” to paragraph 2.
 - Insert 3. Providing building and construction works.
- (5) Scheme of Delegations, Director of Corporate Services and Deputy Chief Executive, Pages 79 - 83.

Insert in Section B between items 6 and 7

- Providing property services, including professional architectural, quantity surveying, electrical and mechanical engineering services.
- Managing energy efficiency and reporting on energy performance.
- Maintaining and improving all dwellings and buildings owned by the Council other than those falling within the Housing Revenue Account.
- Maintaining and improving other property (other than dwellings).
- Seeking the eviction of unauthorised travellers occupying Council land and repairing damage caused by them.

Delete from Section D

Environmental Policy

- (6) Scheme of Delegations, Director of Development and Cultural Services, Page 90

Insert in Section D

Environmental Policy

- (7) Scheme of Delegations, Part E, Matters Delegated to Regulatory and Appeals Committees, Page 70

Amend the delegations to the General Licensing Committee to read:

Will, within Council policies, (1) in relation to licences that cover alcohol, regulated entertainment, public entertainment, late night food takeaways,

theatres, cinemas and other licences granted under the Licensing Act 2003, Local Government (Miscellaneous Provisions) Act 1982, Late Night Refreshment Houses Act 1969, Theatres Act 1968 and Cinema Act 1985, and (2) in relation to any other licensing matters (other than matters falling within the delegations to the Taxi Licensing and Appeals Committee) for which the Council has responsibility.

- Take decisions relating to licensing and appeals functions that would fall within the definition of key decisions if these were executive functions
- Make proposals to Council about policy matters relating to these functions
- Approve arrangements for meetings of the General Licensing Sub Committee.

SUPPORTING INFORMATION

- 2.1 It is customary to review and, where necessary, amend the Constitution at each Annual Meeting of the Council. A number of detailed amendments to Article 4 and the Scheme of Delegations in Part 3 of the Constitution are proposed to reflect current practice, changes in departmental responsibilities and functions and legislative changes. The overall framework and levels of delegation have not been altered. The proposals are explained below.

Recommendations (1) – (6)

These changes reflect more accurately the current position in relation to the responsibilities of Chief Officers and the policies and strategies in the Budget and Policy Framework.

Recommendation (7)

This recommendation adds to the delegations to the General Licensing Committee powers and duties relating to miscellaneous licensing functions.

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Background papers:	None
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial

1. None.

Legal

2. Under Article 15, changes to the Constitution can only be approved by the full Council after consideration of a report by the Monitoring Officer.

Personnel

3. None

Equalities Impact

4. None

Corporate Objectives and Priorities for Change

5. The Constitution underpins and facilitates many of the Council's Corporate Objectives and Priorities for Change.