

## **Report to Environment and Licensing Committee**

**Subject:** Changes to the delegation scheme following the adoption of the new constitution

**Date:** 22 March 2022

**Author:** Democratic Services Manager

### **Purpose**

To seek approval to amend all current delegations previously approved by Environment & Licensing Committee following the adoption of the new constitution.

### **Recommendations**

#### **THAT:**

- 1) The officer delegations at Appendix 1 be approved;
- 2) The Monitoring Officer be authorised to make any other necessary administrative amendments to reflect the change to the constitution.

## **1 Background**

- 1.1 On 3 March 2022 full council agreed the adoption of a newly re-written constitution taking affect from 4 March 2022. The new constitution was a result of several meetings of a cross party working group along with officers who came together to review the effectiveness of the constitution.
- 1.2 As part of the review of the constitution, a review of the schemes of delegation was conducted; which have now been updated to reflect the correct management arrangements and delegations.
- 1.3 With the exception of the above, the only other minor amendment is to remove the requirement for consultation with the Chair of the Environment and Licensing Committee to grant a Hackney Carriage or Private Hire Drivers' Licence where the applicant has no previous convictions or cautions.

## **2 Proposal**

It is proposed that the amended officer delegations set out in Appendix 1 be approved.

### **3 Alternative Options**

Not to amend the delegations but this will lead to lack of clarity about which Officer has the power to act.

### **4 Financial Implications**

None arising from this report.

### **5 Legal Implications**

5.1 Officer delegations in respect of non-executive functions are made under the powers contained in Section 101 of the Local Government Act 1972 (as amended) and with reference to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).

5.2 If the officer delegation scheme is not updated it will lead to lack of clarity over who can make decisions. This could in turn lead to risk of legal challenge.

### **6 Equalities Implications**

There are no equalities implications arising from this report.

### **7 Carbon Reduction/Environmental Sustainability Implications**

There are no carbon reduction/environmental sustainability implications arising from this report.

### **8 Appendices**

Appendix 1 – Non-Executive scheme of delegations to officers

### **9 Background Papers**

None.

#### **Statutory Officer approval**

**Approved by:**

**Date:**

**On behalf of the Chief Financial Officer**

**Approved by:**

**Date:**

**On behalf of the Monitoring Officer**

