

Proposed Constitutional Changes, Panel name change and notification of Portfolios change

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Area/ issue and who raised	Current Constitution Reference	Proposed Changes/ Reason
Section 3		
<p>In line with The Accounts and Audit (Amendment) Regulations 2021, dates have been varied.</p> <p><i>Raised by Service Director: Resources</i></p>	<p>Section 3.1.1</p> <p>(f) Council's Accounts</p> <p>During a 30 working day period that includes 1-14 June, any 'interested' person can inspect the Council's accounts and accounting records. Local electors may also inspect various reports issued by the auditors and ask questions of the auditor about the accounting records. Local electors can also make objections to the auditor where they believe that an item in the accounts is unlawful or they think that a public interest report should be made. The National Audit Office has produced a guide that further explains the public's rights in relation to the inspection of accounts.</p>	<p>(f) Council's Accounts</p> <p>During a 30 working day period that <i>usually</i> includes 1-14 June, any 'interested' person can inspect the Council's accounts and accounting records. Local electors may also inspect various reports issued by the auditors and ask questions of the auditor about the accounting records. Local electors can also make objections to the auditor where they believe that an item in the accounts is unlawful or they think that a public interest report should be made. The National Audit Office has produced a guide that further explains the public's rights in relation to the inspection of accounts.</p> <p><i>Reason:</i></p> <p>To reflect that the dates have changed and therefore the availability of the account may not arise during that period.</p>
Section 4		
<p>Remit of Council to consider Town Twinning, <i>raised by Cllr Ian Albert</i></p>	<p>Add to current 4.4.1, new sub-number</p>	<p><i>(ff) to consider and approve town twinning and other partnerships with local authority bodies overseas, for areas within the District.</i></p> <p><i>Reason:</i></p> <p><i>To designate remit for considering such matters as the constitution is silent.</i></p>
Section 8		

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<p>Appendix 1 to Section 8 Procedure for public participation in the consideration by the planning control Committee of applications made under the town and country planning and Related legislation</p>	<p>Para 1.4 1.4 Persons should only be allowed to address the Planning Control Committee if they have previously registered with the Council's Democratic Services Manager by 12 noon on the day of the meeting but not before the agenda of the meeting has been made public (normally five working days prior to the meeting). They may speak at subsequent meetings, in the case of a decision being deferred. If more than one person registers their wish to speak, they should be advised by the Democratic Services Manager to contact the first person who has registered in an endeavour to agree how to share their 5 minutes.</p>	<p>Proposed change marked red</p> <p>1.4 Persons should only be allowed to address the Planning Control Committee if they have previously registered with the Council's Democratic Services Manager <i>via the "Register to Speak" option on the mod.gov website</i> by 12 noon on the day before of the meeting but not before the agenda of the meeting has been made public (normally five working days prior to the meeting). They may speak at subsequent meetings, in the case of a decision being deferred. If more than one person registers their wish to speak, they should be advised by the Democratic Services Manager to contact the first person who has registered in an endeavour to agree how to share their 5 minutes.</p> <p>Reason: Effective use of the mod.gov system and efficiency.</p>
<p>Appendix 2 to Section 8 Procedure for participation of members in the consideration by the planning control committee of applications made under the town and country planning act and related legislation</p> <p>Both raised by Committee, Member and Scrutiny Manager – to align with the Mod.gov system</p>	<p>1.7 Members should only be allowed to address the Planning Control Committee if they have previously registered with the Council's Democratic Services Manager by 12 noon on the day of the meeting, but not before the agenda of the meeting has been made public (normally five working days prior to the meeting). They may speak at subsequent meetings, in the case of a decision being deferred.</p>	<p>1.7 Members should only be allowed to address the Planning Control Committee if they have previously registered with the Council's Democratic Services Manager <i>via the "Register to Speak" option on the mod.gov website</i> by 12 noon on the day before of the meeting, but not before the agenda of the meeting has been made public (normally five working days prior to the meeting). They may speak at subsequent</p>

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		meetings, in the case of a decision being deferred. Reason: <i>As above - effective use of the mod.gov system and efficiency.</i>
Section 10		
10.1.4 change to 5 meetings per year. <i>Raised by Service Director: Resources</i>	10.1.4 Proceedings of the Finance, Audit and Risk Committee. There shall be five regular meetings of the Committee in each year. In addition, extraordinary meetings may be called from time to time, as and when appropriate. An extraordinary meeting may be called by the Chair of the Committee or by the Proper Officer if they consider it is necessary or appropriate.	<i>10.1.4 Proceedings of the Finance, Audit and Risk Committee. There shall be five five six regular meetings of the Committee in each year. In addition, extraordinary meetings may be called from time to time, as and when appropriate. An extraordinary meeting may be called by the Chair of the Committee or by the Proper Officer if they consider it is necessary or appropriate.</i> Reason <i>The 6th meeting was for approval of accounts, but as above that is now generally picked up in one of the other meetings.</i>
Section 11		
Herts Growth Board Joint Committee <i>Raised by Hertfordshire County Council on behalf of the board</i>	Annex A to Appendix 1 Hertfordshire Growth Board Standing Orders 2.3 Alternative or Substitute Members	<i>Change of requirement from 5 days to 1 hour.</i>
Section 12		
12.1.12 & 14 reference to Service Director: Commercial	Current reference is to Commercial.	<i>Proposed reference change to Service Director: Enterprise.</i>

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<i>Raised by PLB 14 June 2022 following review of Commercial services, change of name to Enterprise</i>		
12.1.2 Service Director - Place	Active Communities <i>team</i>	Removal of the word ' <i>team</i> ' as there has not been a team since 2020.
12.1.2 Officer delegation & section 14.6.8(b)(xvi) Change of responsibility for procurement from Service Director: Legal & Community to Service Director: Resources <i>Raised by Service Director: Legal and Community – agreed by Head of Paid Service (Managing Director) and Executive and Deputy Member for Finance and IT.</i>	Currently sits under Service Director: Legal & Community.	Move to Service Director: Resources <i>Reason</i> Resource requirements within Legal Services.
12.1.2 & 14.6.8(b)(i) Climate change Change of responsibility for climate from Service Director: Legal & Community to Service Director: Place – and to act as the Council's Lead officer for Climate change <i>Raised by Executive Member for Environment, Leisure and Green Spaces – agreed by Head of Paid Service (Managing Director)</i>	Currently with Service Director: Legal & Community (i) Climate change and green issues	Move to Service Director: Place and proposed change 14.6.9 (b)(x) <i>To act as the Lead Officer for Climate change and green issues</i> <i>Executive Member for Environment, Leisure & Green Spaces which shall include</i> <i>1 the Nottingham</i> <i>Declaration on Climate Change and other green issues affecting the District</i> <i>Reason</i> Need to have a Lead Officer and operationally waste, green spaces and related issues the better operational fit.
Section 14		

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<p>14.6.4(a)(vi) Wording for Health and safety policy management</p> <p><i>Raised by Service Director: Resources</i></p>	<p>(vi) To have responsibility for the operational management of the health and safety policy;</p>	<p><i>“To have responsibility for the management of Health and Safety in line with the Council’s Health and Safety Policy”.</i></p> <p><i>Reason</i> <i>Suggested that this is clearer.</i></p>
<p>14.6.6 (Customers previously 14.6.7) (b)(i) Care functions Herts Community meals – not dealt with by NHC.</p> <p><i>Raised by Service Director: Customers</i></p>	<p><u>(i) Care functions</u> including the provision and management of Careline, community alarms and oversight of the Council’s involvement in Hertfordshire Community Meals</p>	<p><i>(i) Care functions including the provision and management of Careline and community alarms and oversight of the Council’s involvement in Hertfordshire Community Meals</i></p>
<p>14.6.6 (Customers previously 14.6.7) (b)(vi) A Car loan schemes</p> <p><i>Raised by Service Director: Customers</i></p>	<p><u>A Contract hire and Car loan schemes</u></p>	<p><i>A Contract hire and Car loan schemes</i></p> <p><i>Reason</i> <i>We no longer run a car loan</i></p>
<p>14.6.9 Service Director: Place (b)(viii) Tourism and visitor management</p> <p><i>Raised and agreed by the Head of Paid Service (Managing Director)</i></p>	<p>Currently with Service Director: Place: (viii) Tourism and visitor management</p>	<p><i>Move to Service Director: Commercial (Enterprise)</i></p> <p><i>Reason</i> <i>Better fit with enterprise / commercial.</i></p>
<p>14.6.11 (a) (vi) Wording for Health and safety policy management</p> <p><i>Raised by Service Director: Resources</i></p>	<p>“To be responsible for the Council’s corporate health and safety in accordance with legislation and the Councils’ adopted policy”</p>	<p><i>“To be responsible for setting the Council’s corporate health and safety policy and ensuring the provision of relevant advice and systems, in accordance with legislation”</i></p> <p><i>Reason</i> <i>Suggested that this is clearer.</i></p>
<p>14.6.11(b)(ii)</p>	<p>(ii) CCTV Client Lead Officer</p>	<p><i>(ii) CCTV Client Lead Officer</i></p>

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<p>CCTV</p> <p><i>Raised by Service Director: Resources</i></p>	<p>Portfolios The Leader and the Executive Member for Community Engagement</p>	<p>Reason <i>That this is a lead officer role as opposed to overall remit.</i></p> <p><i>CCTV Partnership also be noted as the relevant Cabinet input for decision making</i></p> <p><i>Community Engagement & CCTV Joint Executive Committee</i></p>
<p>14.6.11(b)(iii) Executive Member approval amount</p> <p><i>Raised by Service Director: Resources</i></p>	<p>Executive Member for Finance and IT which shall include 1 in-year changes to the Council's Capital Programme up to a limit of £100,000 per project.</p> <p>4 use of the special reserves and reserved contingency budgets, within the total budget agreed by full Council</p>	<p><i>Executive Member for Finance and IT which shall include 1 in-year changes to the Council's Capital Programme in line with the Financial Regulations per project</i></p> <p>Reason <i>Financial Regulations changed and reduced this to £50K per project, above wording will just reflect the current requirements, without further future amendment.</i></p> <p><i>Change to: “use of the special reserves and any reserved contingency budgets, within the total budget agreed by full Council”</i></p> <p>Reason <i>Reflective of terminology of use of any reserves.</i></p>
<p>Cabinet Panel: Community</p>	<p>Current name ‘Community’ Current Terms of reference for this Panel:</p>	<p><i>To be ‘Community & Enterprise’</i></p>

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<p>Name change – to approve, note (see below) change to portfolios</p> <p>Cabinet Panel: Place Portfolio name</p> <p><i>Raised by Leader</i></p>	<p>Cabinet Panel: Community</p> <p>Current Place Panel: Cabinet Panel: Place</p>	<p><i>NB Chairing under Procedure and Administration (section 2) to be as follows following portfolios name change below</i></p> <p>2. <i>The Panel shall be Chaired by the Executive Member for Enterprise and Arts and Transport, or Community Engagement on a meeting by meeting basis (or by such Chair(s) as appointed at the Annual Council in the event of portfolio change)."</i></p> <p>Reason <i>Panel title change for more specific reference to Enterprise.</i></p> <p><u>Place:</u> <i>Change of Enterprise and Arts reference (as above).</i></p>
<p>Executive Member Portfolios – <i>changes Recommendation 2.2 for noting – all confirmed by the Leader</i></p> <p><i>NB any portfolio names not identified above, will be changed administratively as identified</i></p>		
General	<p>Portfolio: Enterprise, The Arts, and Transport</p> <p>Portfolio Planning</p>	<p>Portfolio Enterprise and Arts</p> <p>Portfolio Planning and Transport</p>
14.6.6 Portfolio Area Commercial (Enterprise under 14.6.7) (b)	The Leader of the Council to be responsible for Co-operative Development, including development of a Co-operative Development Strategy for the District. To the extent this is covered by the following it falls to the Leader.	<i>The Leader of the Council to be responsible have oversight for Co-operative Development, including development of a Co-operative Development Strategy for the</i>

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		<i>District. To the extent this is covered by the following it falls to the Leader.</i>
14.6.7 Portfolio Area Customers (b) (i) Care functions	Care functions including careline Executive Member for Housing and Environmental Health	Executive Member for Community Engagement
(b)(ii) Customer Services	(A) the Customer service Centre Leader of the Council	Leader of Council to have strategic oversight, otherwise Executive Member for Community Engagement
(b)(vi)A	A Contract hire and Car loan schemes <i>Currently no Executive Member</i>	Executive Member for Finance and IT
14.6.8 Portfolio Area Legal & Community	B Population and other census information Currently Leader of Council	Executive Member for Community Engagement
14.6.10 (b)(ii) Portfolio Area: Car Parking	Currently Executive Member for Enterprise, The Arts and Transport	Executive Member for Planning and Transport
14.6.10(b) renumbered (v) Portfolio Area: Highways enforcement matters delegated by Hertfordshire County Council	Currently Executive Member for Enterprise, The Arts and Transport	Executive Member for Planning and Transport
14.6.10(b) renumbered (ix) Portfolio Area: Traffic management including the creation of on and off street parking orders and street closure orders	Currently Executive Member for Enterprise, The Arts and Transport <u>Traffic management</u> including the creation of on and off street parking orders and street closure orders	Executive Member for Planning and Transport

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14.6.11(b) new (iii) Portfolio Area: Emergency Planning if now under Service Director: Resources	Currently the Leader	<i>Executive Member for Finance and IT</i>
Section 20 FOR INFORMATON		
<p>R 33.9 Typographical error in the Contract Procedure Rules, changed under 2.6.2(b), in consultation with the Service Director: Resources and Executive Member and Deputy and Group Leaders on 19 April 2022. Now brought to members attention as per 2.6.4 of the Constitution</p> <p>Section 2.6.2(b) provides: 2.6.2 <i>Minor Changes</i> <i>If, in the reasonable opinion of the Monitoring Officer or the Chief Finance Officer, a change is:</i> <i>(b) required to be made to remove any inconsistency, ambiguity or typographical error;..</i></p> <p><i>the Monitoring Officer or the Chief Finance Officer may make such a change.</i></p> <p>2.6.4 <i>Changes made under paragraph 2.6.2 must be notified to all Members.</i></p>	<p><i>Previous wording:</i> <i>“All disposals of property or land owned or leased by the Council shall be by one of the following methods: Private Treaty, Public Auction, Formal Tender, Informal Tender, statutory offer back to the former owner, or long lease. Costs of marketing and disposal will be charged to the receipt.”</i></p>	<p><i>Changed wording:</i> <i>“receipt” changed to “recipient”</i></p>