

Full Council

19 September 2024

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: CONFIRMATION OF CONSTITUTIONAL AMENDMENTS MADE FOLLOWING TEMPORARY RESTRUCTURE

REPORT OF: SERVICE DIRECTOR: LEGAL & COMMUNITY & MONITORING OFFICER

EXECUTIVE MEMBER: [NON-EXECUTIVE FUNCTION] LEADER

COUNCIL PRIORITY: SUSTAINABILITY

1. EXECUTIVE SUMMARY

1.1 To confirm the amendments made following the Managing Director's Delegated Decision of 25 July 2024, to implement a temporary restructure, in respect of the Licensing and Community Safety teams from the Legal & Community Directorate to the Housing and Environmental Health Directorate.

[12. Decisions under Delegated Authority - Temporary LT structure.docx \(north-herts.gov.uk\)](#)

1.2 As per 1.2 of that decision, consequential amendments were made to relevant parts of the Constitution and delegations, to reflect the above. This is notified to Full Council as per section 2.6.3 of the Constitution.

2 . RECOMMENDATIONS

2.1 That Council accepts the amendments made, detailed in section 8.1 of this report.

4. REASON FOR DECISION

4.1 See Delegated Decision.

5. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

5.1 See Delegated Decision. The Delegated Decision was subsequently circulated to Members via MIS and the Decision placed on the Council's Delegated Decision page 2024 in July.

6. FORWARD PLAN

6.1 See Delegated Decision.

7. BACKGROUND

7.1 See Delegated Decision.

8. RELEVANT CONSIDERATIONS

- 8.1 Following the instruction within the Delegated Decision as above, amendments were made to:

Section 12.1.2 Officer Delegation – moving Licensing & Community Safety from the Service Director: Legal & Community and moving it to the Service Director: Housing & Environmental Health.

Section 14.5.1 Council Function - moved from the Service Director: Legal & Community to as below:

All those functions for which the Council is responsible relating to licensing and registration and the grant of consents and refusals	Licensing and Regulation Committee/ Service Director: Housing & Environmental Health
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Sections 14.6.8 & 14.6.9 - moved as below from the Service Director: Legal & Community to the Service Director: Housing & Environmental Health to 14.6.8 b) (viii):

(viii)	<u>Licensing</u> including all functions under all relevant Licensing legislation other than matters reserved to the Licensing and Regulation Committee and Full Council.
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9. LEGAL IMPLICATIONS

- 9.1. Paragraph 14.6.5(a)(i)B of the Council's Constitution sets out that the Managing Director shall exercise the following functions:-

To carry out the duties of the Head of Paid Service (section 4 of the Local Government & Housing Act 1989) which includes all necessary powers for:

B Exercising overall managerial responsibility for staff.

The above is a non-Executive function.

- 9.2. As per section 2.6.2 (d) of the Constitution, the amendments have been made for practical purposes, to ensure the proper administration of the Council, and a link and the constitutional changes have been explained as per section 2.6.3 of the Constitution.

10. FINANCIAL IMPLICATIONS

- 10.1 None, as per Delegated Decision.

11. RISK IMPLICATIONS

- 11.1 See Delegated Decision.

12. EQUALITIES IMPLICATIONS

12.1 See Delegated Decision.

13. SOCIAL VALUE IMPLICATIONS

13.1 See Delegated Decision.

14. ENVIRONMENTAL IMPLICATIONS

14.1 See Delegated Decision.

15. HUMAN RESOURCE IMPLICATIONS

15.1 See Delegated Decision.

16. BACKGROUND PAPERS

16.1 See Delegated Decision.

17. APPENDICES

17.1 None – however see link to Constitution page with updated Constitution:
<https://www.north-herts.gov.uk/council-constitution>