

PROPOSED AMENDMENTS TO THE CONSTITUTION

Page	Previous Wording	Amended Wording	Reason
4	Summary and Explanation How the constitution is arranged <ul style="list-style-type: none"> • Neighbourhood Engagement (Article 10) 	Summary and Explanation How the constitution is arranged <ul style="list-style-type: none"> • Neighbourhood Management (Article 10) 	To reflect the correct title
9	Article 1 – The Constitution 1.03 Purpose of the Constitution The constitution is the framework for realising the Council's vision for Gateshead as a borough where all local people: <ul style="list-style-type: none"> • are valued equally by the community irrespective of age, sex, ethnic origin and disability and have equality of opportunity in society • prosper and have access to a wide range of job opportunities • are well educated and informed with access to opportunities for lifelong learning and leisure, helping them to take advantage of opportunities as they arise • live without fear of crime or harassment in decent homes and in an attractive, clean, hazard-free environment • are healthy and able to live out their lives with self-respect and dignity • take an active part in the democratic 	Article 1 – The Constitution 1.03 Purpose of the Constitution The constitution provides the framework and democratic processes needed to realise the Council's vision and deliver the Council Plan outcomes for Gateshead. Our vision for Gateshead is a place where all local people can realise their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead.	To reflect the current Council Plan.

	process and are able to become involved in decisions about matters which affect them and their communities		
26	Article 10 – Neighbourhood Engagement	Article 10 – Neighbourhood Management	To reflect the correct title
27	<p>10.05 Gateshead Strategic Partnership</p> <p>The Council will lead the work of the Gateshead Strategic Partnership (GSP) to encourage different parts of the public sector, as well as the business community, the voluntary and community sectors, and government agencies, to take a strategic overview and co-ordinate their activities to improve outcomes in key policy areas.</p> <p>The aims of the GSP are:</p> <ul style="list-style-type: none"> • To co-ordinate partnership working in Gateshead with particular reference to regeneration, neighbourhood renewal and community planning. • To involve the community, voluntary and business sectors in strategic decision making. <p>10.06 The GSP will prepare and keep up to date a Sustainable Community Strategy for Gateshead, identifying key areas of action, and will take all necessary steps to ensure that these actions are delivered. The GSP will be supported by a Steering Group which will provide strategic direction for its work, and by theme, area and cross-cutting partnerships which set the</p>	<p>10.05 Gateshead Strategic Partnership</p> <p>The Council will lead the work of the Gateshead Strategic Partnership (GSP) to encourage different parts of the public sector, as well as the business community, the voluntary and community sectors, and government agencies, to take a strategic overview and co-ordinate their activities to improve outcomes for local people.</p> <p>Delete</p> <p>10.06 The GSP will prepare and keep up to date a Sustainable Community Strategy for Gateshead, identifying key areas of action, and will take all necessary steps to ensure that these actions are delivered. The GSP will be supported by a Steering Group which will provide strategic direction for its work and by theme, and cross-cutting partnerships which set the</p>	To reflect the GSP review.

	direction for policy in Gateshead for their theme, area or issue.	direction for policy in Gateshead for their theme or issue.	
28	<p>Article 11 – Health and Wellbeing Board</p> <p>11.02 Composition and Procedure</p> <p>a) Membership</p> <p>The Health and Wellbeing Board will consist of 18 members as follows:-</p> <ul style="list-style-type: none"> • Seven councillors (including the Chair and Vice Chair) • Strategic Director, Care Wellbeing and Learning • Director of Public Health • Two Gateshead clinical commissioning group representatives (the Chair or Assistant Chair of the Clinical Commissioning Group and one representative at Director level or equivalent) • A representative of the NHS England • A representative of the Local Healthwatch • A representative of Gateshead Voluntary and Community Sector • A representative of Gateshead NHS Foundation Trust • A representative of South Tyneside NHS Foundation Trust • A representative of Northumberland, Tyne and Wear NHS Foundation Trust • A representative of Gateshead of Gateshead Federation of GP Practices 	<p>Article 11 – Health and Wellbeing Board</p> <p>11.02 Composition and Procedure</p> <p>a) Membership</p> <p>The Health and Wellbeing Board will consist of 19 members as follows:-</p> <ul style="list-style-type: none"> • Seven councillors (including the Chair and Vice Chair) • Strategic Director, Care Wellbeing and Learning • Director of Public Health • Two Gateshead clinical commissioning group representatives (the Chair or Assistant Chair of the Clinical Commissioning Group and one representative at Director level or equivalent) • A representative of the NHS England • A representative of the Local Healthwatch • A representative of Gateshead Voluntary and Community Sector • A representative of Gateshead NHS Foundation Trust • A representative of South Tyneside NHS Foundation Trust • A representative of Northumberland, Tyne and Wear NHS Foundation Trust • A representative of Gateshead of Gateshead Federation of GP Practices • A representative of Tyne and Wear Fire and Rescue Service 	To reflect the current composition of the Board.

29	<p>11.03 Role and Function</p> <p>The Health and Wellbeing Board will have the following roles and functions:-</p> <p>a) to lead on the production of the Joint Strategic Needs Assessment;</p>	<p>11.03 Role and Function</p> <p>The Health and Wellbeing Board will have the following roles and functions:-</p> <p>a) to lead on the production of the Joint Strategic Needs Assessment and Pharmaceutical Needs Assessment;</p>	To reflect the current roles and functions.
34	<p>Article 13 – Employees of the Council</p> <p>13.01 Management Structure</p> <p>(c) Strategic Directors</p> <p>Strategic Director, Corporate Services and Governance</p> <p>Functions and areas of responsibility</p> <ul style="list-style-type: none"> • Information governance 	<p>Article 13 – Employees of the Council</p> <p>13.01 Management Structure</p> <p>(c) Strategic Directors</p> <p>Strategic Director, Corporate Services and Governance</p> <p>Functions and areas of responsibility</p> <ul style="list-style-type: none"> • Information governance including the role of Senior Information Risk Owner 	To reflect the full range of duties.
34	<p>Strategic Director, Corporate Resources</p> <p>Functions and areas of responsibility:</p> <ul style="list-style-type: none"> • ICT strategy and service development • ICT security • ICT service desk and desktop support 	<p>Strategic Director, Corporate Resources</p> <p>Functions and areas of responsibility:</p> <ul style="list-style-type: none"> • IT strategy and service development • IT security • IT service desk and desktop support 	To reflect the change in service designation to IT Services.

35	Strategic Director, Care Wellbeing and Learning Functions and areas of responsibility: <ul style="list-style-type: none"> • Safer Communities • Resilience and major incident planning • Homelessness and support 	Transfer to Strategic Director, Communities and Environment	To reflect current areas of responsibility.
36	Strategic Director, Communities and Environment Functions and areas of responsibility: <ul style="list-style-type: none"> • Local Development Framework • Community development and cohesion N/A	Strategic Director, Communities and Environment Functions and areas of responsibility: <ul style="list-style-type: none"> • Local Plan • Community development, capacity building and cohesion Add the following: <ul style="list-style-type: none"> • GO Gateshead Sport and Leisure • Community Infrastructure Levy 	To reflect the approach/terminology in national policy. To reflect the full range of areas. To reflect the full range of areas. To reflect that Gateshead is a CIL charging authority under the Strategic Director, Communities and Environment.

38	<p>Service Director, Policy, Improvement and Communication</p> <p>Functions and areas of responsibility:</p> <ul style="list-style-type: none"> • Corporate policy, planning and performance • Corporate communications and marketing including graphic design and web • Research and intelligence • Customer insight and customer service • Strategy • Consultation advice and support • Change Programme 	<p>Service Director, Policy, Performance and Communications</p> <p>Functions and areas of responsibility:</p> <ul style="list-style-type: none"> • Strategic policy and planning framework • Corporate research and intelligence framework • Corporate performance management framework • Corporate digital and online framework (including website) • Corporate communications framework • Corporate customer strategy 	<p>To reflect current post title.</p> <p>To more accurately reflect the range of functions and responsibilities.</p>
55	<p>Schedule 1 – Non-Executive Functions – Delegations to Council Bodies</p> <p>1. Planning and Development Committee</p> <p>N/A</p>	<p>Schedule 1 – Non-Executive Functions – Delegations to Council Bodies</p> <p>1. Planning and Development Committee</p> <p>Add the following at the end of delegation (i)f:</p> <p>g. Growth and Infrastructure Act 2013 h. Infrastructure Act 2015 i. Localism Act 2011 j Town and Country Planning (Control of Advertisements) (England) Regulations 2007</p>	<p>To reflect new legislation.</p>

	<p>(v) to respond to consultations from other local planning authorities and from Government departments and agencies relating to development control matters</p>	<p>k. Part 6 of Housing and Planning Act 2016</p> <p>(v) to respond to consultations from other local planning authorities and from Government departments and agencies relating to development management matters</p>	
56	<p>3. Regulatory Committee</p> <p>The Regulatory Committee, except where the matter is delegated to the Service Director, Development, Public Protection and Transport Strategy, has delegated powers:</p> <p>3(b) to grant and renew licences for Hackney Carriages, Hackney Carriage Drivers, Private Hire Vehicles and Private Hire Operators (including Dual Driver licences) where the application does not meet the Council's standard conditions, but having regard to all relevant information, it is determined that the individual circumstances justify deviation from policy;</p>	<p>3. Regulatory Committee</p> <p>The Regulatory Committee, except where the matter is delegated to the Service Director, Development, Transport and Public Protection, has delegated powers:</p> <p>3(b) to grant and renew licences for Hackney Carriages, Hackney Carriage Drivers, Private Hire Vehicles, Private Hire Drivers and Private Hire Operators (including Dual Driver licences) where the application does not meet the Council's standard conditions, but having regard to all relevant information, it is determined that the individual circumstances justify deviation from policy;</p>	<p>To reflect the national name change to Development Management.</p> <p>To reflect the correct designation of the officer.</p> <p>To ensure the list covers all relevant licences.</p>
57	<p>4. Appeals Committee</p> <p>N/A</p>	<p>4. Appeals Committee</p> <p>Add the following to the appeals the Committee can determine in the list specified in delegated powers 1(i):</p> <p>(i) against Council decisions relating to</p>	<p>To reflect the</p>

		<p>charging and financial assessment for adult care and support services;</p> <p>(j) against decisions relating to home to school and college travel.</p>	<p>framework agreed by Council that includes a right of appeal process.</p> <p>To introduce an independent appeal process. These relate to decisions made in relation to applications for home to school travel applications, post 16 travel applications and applications for free bus passes provided to pupils on statutory walking distance, unsafe route and means testing.</p>
62	<p>Schedule 2 – Non Executive Functions Delegated to Managers</p> <p>Part 1 – Delegations to Individual Managers</p> <p>1. Strategic Director, Communities and Environment</p> <p>Service Director, Development, Public Protection and Transport Strategy</p> <p>(1) Save in respect of matters otherwise reserved to the Council's Licensing and Regulatory Committees, to exercise the</p>	<p>Schedule 2 – Non Executive Functions Delegated to Managers</p> <p>Part 1 – Delegations to Individual Managers</p> <p>2. Strategic Director, Communities and Environment</p> <p>Service Director, Development, Transport and Public Protection</p> <p>(1) Save in respect of matters otherwise reserved to the Council's Licensing and Regulatory Committees, to exercise the</p>	<p>To reflect the correct designation of the officer.</p> <p>To cover explicitly the power to enforce housing standards.</p>

63	<p>powers and duties of the Council for the application of legislation including the appointment and authorisation of appropriate officers, to authorise, sign and serve all notices and deal with all applications, variations, licences, consents, revocations and suspensions, and take all necessary enforcement action including to issue simple cautions, on behalf of the Council in respect of its responsibilities for matters of:</p> <p>c) housing and building security</p> <p>7. To determine applications, notifications, consultation, enforcement and all other matters within the terms of reference of the Planning and Development Committee subject to the exceptions specified below:</p> <p>a) Applications (other than those for the discharge of conditions, extensions of time, section 73 applications, applications relating to block improvements of housing market renewal schemes or replacement of new industrial development (use class B1, B2 or B8)) in the Team Valley for major development as defined as:</p> <ul style="list-style-type: none"> • Residential development of 10 or more dwellings, or where the number is not specified, the site is more than 0.5 hectares; 	<p>powers and duties of the Council for the application of legislation including the appointment and authorisation of appropriate officers, to authorise, sign and serve all notices and deal with all applications, variations, licences, consents, revocations and suspensions, and take all necessary enforcement action including to issue simple cautions, on behalf of the Council in respect of its responsibilities for matters of:</p> <p>c) housing and building standards and security</p> <p>7. To determine applications, notifications, consultation, enforcement and all other matters within the terms of reference of the Planning and Development Committee subject to the exceptions specified below:</p> <p>a) Applications (other than those for the discharge of conditions, extensions of time, section 73 applications, applications relating to block improvements of housing schemes or any new industrial development (use class B1, B2 or B8)) in an allocated Primary Employment Area for major development as defined as:</p> <ul style="list-style-type: none"> • Residential development of 10 or more dwellings, or where the number is not specified, the site is more than 0.5 hectares; 	<p>To reflect the correct designation of the officer.</p> <p>To clarify the exceptions to this section and refer to the correct designation of the officer.</p>
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	<ul style="list-style-type: none"> • Other development where the floor space is 1000 square meters or more or the site is one hectare or more; • Where a major development is subject to a change of use, it will be classed as a major development and not a change of use. <p>The Service Director, Development and Public Protection may refuse an application for major development where it is clearly contrary to a relevant Council planning policy.</p> <p>g) Applications submitted by or on behalf of:</p> <ul style="list-style-type: none"> • The Chief Executive or any Strategic Director or the Service Director, Development and Public Protection. <p>h) Applications where five or more relevant and material planning objections have been lodged in writing, or a member of the Council, Member of Parliament for the Borough, Member of the European Parliament for the Borough or a parish council within the Borough has objected to it or asked that it be determined by the Planning and Development Committee.</p> <p>i) Applications where speaking rights</p>	<ul style="list-style-type: none"> • Other development where the floor space is 1000 square meters or more or the site is one hectare or more; • Where a major development is subject to a change of use, it will be classed as a major development and not a change of use. <p>The Service Director, Development, Transport and Public Protection may refuse an application for major development where it is clearly contrary to a relevant Council planning policy.</p> <p>g) Applications submitted by or on behalf of:</p> <ul style="list-style-type: none"> • The Chief Executive or any Strategic Director or the Service Director, Development, Transport and Public Protection. <p>h) Applications where five or more relevant and material planning objections have been lodged in writing, or a member of the Council, Member of Parliament for the Borough, Member of the European Parliament for the Borough or a parish council within the Borough has objected to it or asked that it be determined by the Planning and Development Committee giving material planning reasons for doing so.</p> <p>i) Applications where speaking rights</p>	<p>To clarify the delegation.</p> <p>To correct the delegation.</p>
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65	<p>have been requested and where there are five or more relevant and material objections have been lodged in writing in accordance with the scheme for speaking at Planning and Development Committee.</p> <p>j) Applications which the Service Director, Development and Public Protection considers should be determined by Planning and Development Committee having regard to approved guidance on this matter.</p> <p>(10) To respond to consultations from neighbouring planning authorities on applications.</p> <p>(12) c) Authorise the continuation of hazardous substances consent where there has been a change in the control of the land to which the consent related, provided that in the case of any application:</p> <p>1. no more than three relevant and material planning objections have been lodged in writing against it, and</p> <p>(13) To determine applications for prior approval in relation to permitted development proposals in accordance with the Town and Country Planning</p>	<p>have been requested and where five or more relevant and material objections have been lodged in writing in accordance with the scheme for speaking at Planning and Development Committee.</p> <p>j) Applications which the Service Director, Development, Transport and Public Protection considers should be determined by Planning and Development Committee having regard to approved guidance on this matter.</p> <p>(10) To respond to consultations from other planning authorities and from Government departments and agencies relating to Development Management Matters.</p> <p>(12) c) Authorise the continuation of hazardous substances consent where there has been a change in the control of the land to which the consent related, provided that in the case of any application:</p> <p>1. no more than five relevant and material planning objections have been lodged in writing against it, and</p> <p>(13) To determine applications for prior approval submissions in all cases whether or not objections are received due to the nature of these applications</p>	<p>To reflect the correct designation of the officer.</p> <p>To reflect a similar delegation to the Planning and Development Committee in Schedule 1.</p> <p>To reflect other planning applications under delegation 7(h).</p> <p>To enable these submissions to be processed in statutory timescales.</p>
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	(Development Management Procedure) (England) Order 2015 and any subsequent amendments to it.	being dealt with in relation to permitted development proposals in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and any subsequent amendments to it.	
66	(23) Save in respect of a matter otherwise reserved to the Council's Planning and Development Committee to authorise, sign and serve notices and take all necessary enforcement action under section 215 and to obtain information under section 330 of the Town and Country Planning Act 1990.	(23) Save in respect of a matter otherwise reserved to the Council's Planning and Development Committee to authorise, sign and serve notices and take all necessary enforcement action under section.	
67	(26) To obtain particulars of persons interested in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976.	(26) To authorise the serving of requisition for information Notices, including Planning Contravention Notices, under sections 171C and 330 of the Town and Country Planning Act 1990 and section 16 Local Government (Miscellaneous Provisions) Act 1976.	
	N/A	<p>Add the following delegations:</p> <p>(31) To be the Council's designated officer responsible for the implementation of the Community Infrastructure Levy.</p> <p>(32) To approve revisions to any of the matters in the Gateshead Community Infrastructure Levy Instalments Policy and Regulation 123 Infrastructure List.</p> <p>(33) To determine whether development should be subject to the Community</p>	<p>Previously agreed by the Cabinet.</p> <p>Previously agreed by the Cabinet.</p> <p>To allow the Council to implement the new</p>

67	<p>Service Director, Waste Services, Grounds Maintenance and Fleet Management</p> <p>N/A</p>	<p>Infrastructure Levy in accordance with the Council's charging schedule and the Community Infrastructure Levy Regulations 2010 and any subsequent amendments.</p> <p>(34) Following consultation with the Strategic Director, Corporate Services, to determine whether to take enforcement action under the provisions of the Community Infrastructure Levy Regulations 2010 and any subsequent amendments.</p> <p>(35) To authorise notices under Part IX Highways Act 1980 and the taking of action under Section 303 and 333 of Highways Act 1980</p> <p>(36) To take enforcement action against contraventions of the Environmental Protection Act 1990, Clean Neighbourhoods and Environment Act 2005, Anti-Social Behaviour, Crime and Policing Act 2014, Control of Pollution (Amendment) Act 1989 and the Refuse Disposal (Amenity) Act 1978.</p> <p>Service Director, Street Scene</p> <p>Insert the following delegation:</p> <p>Service Director, Culture, Communities, Leisure and Volunteering</p>	<p>function as CIL charging authority.</p> <p>As above.</p> <p>To ensure efficient and effective action is taken in a timely manner.</p> <p>As above.</p> <p>To reflect the correct designation.</p>
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68	<p>2. Strategic Director, Corporate Services and Governance</p> <p>(8) To approve the addition of posts to the enhanced car leasing scheme where difficulties are being experienced in recruitment and retention and to approve the provision of a leased car under the scheme without contribution by the post holder.</p> <p>N/A</p>	<p>(1) To approve and allocate the Local Community Fund to projects for which ward councillors request financial support.</p> <p>(2) To authorise, following consultation with the Strategic Director, Corporate Resources, price increases when required in the Council's coffee shops, restaurants and bars in line with business need and market forces.</p> <p>2. Strategic Director, Corporate Services and Governance</p> <p>Delete</p> <p><i>Renumber remaining delegations</i></p> <p>Insert the following delegation:</p> <p>(21) To enter into contracts (including framework agreements) for the supply of works, goods and services subject to the Contract Procedure Rules. This power may be further delegated to the Service Director, Legal, Democratic and Property Services or the Service Director, Litigation, Elections and Registrars.</p>	<p>To ensure requests are responded to in a timely manner.</p> <p>To formalise current processes.</p> <p>The leased car scheme no longer exists.</p> <p>To have consistent procedures in place for the signing of contracts.</p>
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69	3. Strategic Director, Corporate Resources N/A	<p>(22) As Senior Information Risk Owner, to appoint on behalf of the Council an officer of the Council as a Data Protection Officer and, following consultation with the Strategic Director, Care, Wellbeing and Learning, a Caldicott Guardian.</p> <p>3. Strategic Director, Corporate Resources</p> <p>Insert the following:</p> <p>(3) To approve commercially sensitive traded fees and charges, following consultation with the Leader and the Deputy Leader of the Council.</p> <p><i>Renumber remaining delegations.</i></p> <p>(7) To provide information as requested by the Tyne and Wear Pension Fund on behalf of the Council and also to provide a Council guarantee or make any necessary contributions or payments for Pension Fund Liabilities in relation to:</p> <ul style="list-style-type: none"> • Regional charitable or not for profit organisations; and • Insourced services and commissioning arrangements. 	<p>To formalise these arrangements.</p> <p>Previously agreed by Cabinet.</p> <p>To make the process more responsive. The decisions have no immediate financial implication arising from the provision of the guarantee.</p>
73	Part 2. General Delegations to Managers 3) General	Part 2. General Delegations to Managers 3) General	

	N/A	<p>Insert the following delegation:</p> <p>(g) Execute and complete documents including contracts for the purchase of works, goods and services up to the value of £25,000, memoranda of understanding and inter departmental service level agreements, subject first to taking appropriate advice from legal and procurement officers in the Corporate Services and Governance Directorate having regard to the nature, complexity and scale of contractual commitments involved.</p>	To correspond to the Contracts Procedure Rules.
75	<p>Schedule 3 – Responsibility for Local Choice Functions</p> <p>References to the Service Director, Development and Public Protection</p>	<p>Schedule 3 – Responsibility for Local Choice Functions</p> <p>Change references to the Service Director, Development, Transport and Public Protection</p>	To reflect the correct designation of the officer.
80	<p>Schedule 4 – Executive Functions Dealt with under Joint Arrangements Annex 1D</p> <p>Reference to North Eastern Procurement Organisation</p>	<p>Schedule 4 – Executive Functions Dealt with under Joint Arrangements Annex 1D</p> <p>Change reference to North East Procurement Organisation</p>	To reflect the correct title.
	<p>Schedule 5 – Executive Functions Delegated to Managers</p> <p>Part 1 – Delegations to Individual Managers</p>	<p>Schedule 5 – Executive Functions Delegated to Managers</p> <p>Part 1 – Delegations to Individual Managers</p>	

81	<p>1. Strategic Director, Care, Wellbeing and Learning</p> <p>(2) In accordance with Council policy, to act on behalf of the Council as local housing authority by determining, subject to any right of appeal which may apply, and to the extent that the matter is not dealt with by the Gateshead Housing Company under the terms of the Management Agreement:</p> <ul style="list-style-type: none"> (a) All applications in connection with the housing register (b) Determinations as to homelessness (c) All matters relating to the allocation of the Council's dwellings (d) Adaptations to Council property for disabled persons and the issue of aids to disabled persons in each case within budgetary provision and subject to a report to the Cabinet where the estimated cost exceeds £50,000 (e) Exercise by tenants of the right to buy, including approving valuations 	<p>1. Strategic Director, Care, Wellbeing and Learning</p> <p>Transfer this delegation to the Strategic Director, Communities and Environment.</p>	<p>To align with actual current responsibility for discharge of the function.</p>
82	<p>(3) To monitor the performance of the Gateshead Housing Company as the nominated officer under the Gateshead Housing Agreement.</p> <p>(4) To instruct the Strategic Director, Corporate Services and Governance to apply to the courts for appropriate remedies and order, including (but not</p>	<p>Transfer this delegation to the Service Director, Council Housing, Design and Technical Services.</p> <p>Transfer this delegation to the Service Director, Development, Transport and Public Protection.</p>	<p>To align with actual current responsibility for discharge of the function.</p> <p>To align with actual current responsibility for discharge of the function.</p>

	<p>restricted to) Anti-Social Behaviour Orders, to assist in ensuring community safety and proper estate management.</p> <p>(8) In accordance with the Council's Contract Procedure Rules and within budgetary provision, to award contracts in respect of the provision of care and support services to individuals arising out of delegations (5a) and (5b) and those functions delegated by virtue of Section 18 of the Care Act 2014 and the Contracting Out (Local Authorities Social Services Functions) (England) Order 2014.</p> <p>N/A</p>	<p><i>Renumber remaining delegations</i></p> <p>(5) In accordance with the Council's Contract Procedure Rules and within budgetary provision, to award (and where necessary to subsequently vary) after consultation with the relevant Cabinet Member and the Service Director Corporate Commissioning and Procurement contracts in respect of the provision of care and support services to individuals arising out of delegations (5a) and (5b) and those functions delegated by virtue of Section 18 of the Care Act 2014 and the Contracting Out (Local Authorities Social Services Functions) (England) Order 2014.</p> <p>Insert the following delegation:</p> <p>(6)(e) To undertake the role of nearest relative under the Mental Health Act 1983 when appointed to that role by a court or upon delegation to that role from a nearest relative.</p>	<p>To create clear delegation in relation to the variation of contracts, subject to appropriate officer consultation.</p> <p>To meet the requirements of the courts or relatives.</p>
84	<p>(15) In accordance with the Council's Contract Procedure Rules and Consolidated Procurement Principles and within budgetary provision to award Contracts in respect of residential care placements, domiciliary care, day-care</p>	<p>(12) In accordance with the Council's Contract Procedure Rules within budgetary provision to award (and where necessary to subsequently vary) contracts under existing framework or standing list arrangements in</p>	<p>To create clear delegation in relation to the variation of contracts, subject to appropriate officer consultation.</p>

	<p>placements, day-care education placements and residential placements for children.</p> <p>Service Director, Adult Social Care and Independent Living</p> <p>(1) To accept leases and grant licenses of property (for which there is budgetary provision) necessary to meet the Council's obligations to provide temporary accommodation to homeless persons on an emergency basis and to those requiring supported housing.</p> <p>2. Strategic Director, Communities and Environment</p>	<p>accordance with processes agreed with the Service Director, Corporate Commissioning and Procurement in respect of residential care placements, domiciliary care, day-care placements, day-care education placements and residential placements for children.</p> <p>Service Director, Adult Social Care and Independent Living</p> <p>Transfer this delegation to Service Director, Council Housing, Design and Technical Services</p> <p>2. Strategic Director, Communities and Environment</p>	
84			To align with actual current responsibility for discharge of the function.
85	<p>N/A</p> <p>(4) To purchase vehicles, plant and to meet the Council's operational requirements, subject to budgetary provisions being available; to scrutiny by the Strategic Director, Corporate Resources; and a report being submitted for information to the Cabinet when a tender other than the lowest is accepted.</p>	<p>Bring forward delegation 5 and make it delegation 1 and then renumber remaining delegations.</p> <p>(4) To purchase vehicles, plant and equipment in accordance with the Council's Contract Procedure Rules to meet the Council's operational requirements, subject to budgetary provisions being available; to scrutiny by the Strategic Director, Corporate Resources; and a report being submitted</p>	<p>To arrange the delegations in a more natural and logical order.</p> <p>To relate delegation to the Contract Procedure Rules.</p>

	<p>Service Director, Development, Public Protection and Transport Strategy</p> <p>N/A</p>	<p>for information to the Cabinet when a tender other than the lowest is accepted.</p> <p>Service Director, Development, Transport and Public Protection</p> <p>Insert the following delegations:</p> <p>Service Director, Council Housing, Design and Technical Services</p> <p>(1) In respect of Council housing stock, to exercise the powers of the Council and to authorise persons to exercise such powers, under the Public Health Acts 1936 and 1961, Prevention of Damage by Pests Act 1949, Local Government (Miscellaneous Provisions) Act 1982 and Housing Act 2004 and any other legislation conferring such powers, in order to prevent:</p> <ul style="list-style-type: none"> (i) Damaged or defective premises (or parts thereof). (ii) The deposit of noxious refuse. (iii) Prejudice to health, danger to the public and/or detriment to the amenities of the neighbourhood. (iv) Hazards (as defined by Housing Act 2004). <p>(4) To act on behalf of the Council in relation to the Council's duties to review and address homelessness.</p>	<p>To reflect the correct designation of the officer.</p> <p>To mirror the delegation to Service Director, Development, Transport and Public Protection - the delegation is limited to Council housing stock.</p> <p>To address homelessness duties.</p>
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88	<p>Service Director, Culture, Communities, Leisure and Volunteering</p> <p>(2) To engage artists to a maximum cost, inclusive of expenses, of £2,500; engagements in excess of £2,500 are subject to consultation with the Strategic Director, Corporate Services and Governance with a view to drawing up an appropriate contract;</p> <p>N/A</p>	<p>Service Director, Culture, Communities, Leisure and Volunteering</p> <p>(2) To engage artists to a maximum cost, inclusive of expenses, of £10,000; engagements in excess of £10,000 are subject to consultation with the Strategic Director, Corporate Services and Governance with a view to drawing up an appropriate contract;</p> <p>Insert the following delegations:</p> <p>(5) To make arrangements to undertake activity which can generate income to meet agreed targets set by the annual budget process.</p> <p>(6) Following consultation with the Strategic Directors, Corporate Resources and Corporate Services and Governance, to recommend to the Strategic Director, Communities and Environment, to implement flexible pricing arrangements to increase income, as appropriate.</p>	<p>To enable the service to develop sustainable methods of income generation to continue to provide some services and support some facilities on behalf of the council and for the benefit of residents.</p> <p>To enable the service to work more effectively within current market process.</p> <p>Previously agreed by Cabinet.</p>
88	<p>Service Director, Economic and Housing Growth</p> <p>(2) To deal with applications received for</p>	<p>Service Director, Economic and Housing Growth</p> <p>Transfer these delegations to the Service</p>	<p>To align with actual</p>

90	<p>financial assistance, including grants and loans, as defined in the Council's Housing Strategy and Financial Assistance Policy.</p> <p>(3) In relation to the Council's Housing Strategy and Financial Assistance Policy, following consultation with the Panel comprising the Service Director, Economic and Housing Growth and two members of the Council:</p> <ul style="list-style-type: none"> (a) to approve applications for loans for relocation and/or renewal that fall outside of the Council's approved loan policies and procedures; (b) to agree a fair equity loan repayment figure in cases where house prices have substantially increased or decreased; (c) to approve requests for moves from clearance areas other than in accordance with the Council's agreed phasing of such clearance. <p>3. Strategic Director, Corporate Resources</p>	<p>Director, Development, Transport and Public Protection.</p> <p><i>Renumber the remaining delegations.</i></p> <p>3. Strategic Director, Corporate Resources</p> <p>Insert the following delegation:</p> <p>(14) Following consultation with the Strategic Director, Corporate Services and Governance, to manage the overdraft position of Regent Funeral Services Ltd and to charge the company appropriately for this facility.</p>	<p>current responsibility for discharge of the function.</p> <p>To reflect a previous Cabinet decision.</p>
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90	<p>4. Strategic Director, Corporate Services and Governance</p> <p>N/A</p>	<p>(15) To administer the Discretionary Rate Relief Policy.</p> <p>4. Strategic Director, Corporate Services and Governance</p> <p>Insert the following delegations:</p> <p>(4) To authorise officers from Corporate Services and Governance to instruct or engage the services of external legal advisers.</p> <p><i>Renumber remaining delegations</i></p>	<p>To reflect a previous Cabinet decision</p> <p>To provide a constitutional basis for the occasional need to instruct external legal advisers.</p>
91	<p>(13) To enter into framework arrangements for the supply of goods and services subject to the tender procedure set out in the Contract Procedure Rules and to the Council's general terms and conditions of contract.</p>	<p>(14) To enter into contracts including framework agreements for the supply of works, goods and services subject to the Contract Procedure Rules. This power may be further delegated to the Service Director, Legal, Democratic and Property Services or the Service Director, Litigation Elections and Registrars.</p> <p>(18) To fulfil the role of appointed nominee of the Council for the purposes of taking out letters of administration of the estate of any person who is a creditor of the Council.</p>	<p>To cover the full scope of usual contract arrangements and to align with the practice for signing contracts.</p> <p>To meet a requirement of the Probate Registry.</p>
	<p>Part 2 – General Delegations to Managers</p> <p>(1) Tenders</p>	<p>Part 2 – General Delegations to Managers</p> <p>(1) Tenders</p>	
94	<p>1(a)(ii) The consolidated procurement</p>	<p>1(a)(ii) The Council's Corporate</p>	<p>To allow flexibility for</p>

	principles;	Commissioning and Procurement Strategy;	amendment of and adoption of new protocols.
149	Financial Regulations 9. Orders for Work, Goods and Services 9.4 Each order must conform with the directions of the Cabinet with respect to the consolidated procurement principles and the standardisation of supplies and materials.	Financial Regulations 9. Orders for Work, Goods and Services 9.4 Each order must conform with the directions of the Cabinet with respect to procurement protocols and the standardisation of supplies and materials.	To use the current terminology.
152	13. Contracts for Building, Constructional or Engineering Work 13.1 All tender activity shall be conducted in line with the consolidated procurement principles. 13.7 Subject to the provisions of the contract or tender in the case of Communities and Environment, in each case every extra or variation must be authorised in writing by the architect or engineer (or private architect, engineer or consultant) as may be appropriate or by his/her deputy or other officer nominated by him/her in writing for the purpose.	13. Contracts for Building, Constructional or Engineering Work 13.1 All tender activity shall be conducted in line with the Contract Procedure Rules and procurement protocols. 13.7 Subject to the provisions of the contract or tender, in each case every extra or variation must be authorised in writing by the architect or engineer (or private architect, engineer or consultant) as may be appropriate or by his/her deputy or other officer nominated by him/her in writing for the purpose.	As above. This provision is not necessarily specific to one Strategic Director.
153	13.16 The Strategic Director, Communities and Environment must supply to the Cabinet, at such intervals as it may determine, a comparative statement of cost and valuations of work being	13.16 The Strategic Director, Communities and Environment must supply to the Cabinet, at such intervals as it may determine, a comparative statement of cost and valuations of work being	To reflect the correct title of the service.

	carried out by Construction Operations.	carried out by Construction Services.	
158	<p>22. Information and Communications Technology</p> <p>22.4 Strategic Directors are responsible for computer equipment and systems under their control and their proper use in accordance with the Council's ICT Security and the Standards, Procedures and Protocols document.</p>	<p>22. Information and Communications Technology</p> <p>22.4 Strategic Directors are responsible for computer equipment and systems under their control and their proper use in accordance with the Council's IT Security and the Standards, Procedures and Protocols document.</p>	To reflect the change in service designation to IT Services.
181 – 200	<p>Development Control – Protocol on Good Practice</p> <p>N/A</p>	<p>Development Control – Protocol on Good Practice</p> <p>Change all references to Development Control to Development Management</p>	To reflect the change of name.
186	<p>Press Comments</p> <p>3.5 Comments should accord with the principles of this code and in particular must not create the impression that members have prejudged the planning application. The Council's Service Director, Policy, Transformation and Communications is available to assist councillors in their dealings with the media.</p>	<p>Press Comments</p> <p>3.5 Comments should accord with the principles of this code and in particular must not create the impression that members have prejudged the planning application. The Council's corporate communications team are available on telephone number 433 3544 to assist councillors in their dealings with the media.</p>	To reflect the correct Council team to contact.
228	<p>Protocol – Director Of Public Health</p> <p>2. Role and Functions of the Director of Public Health</p> <p>2.2 Many of the Director of Public Health's</p>	<p>Protocol – Director Of Public Health</p> <p>2. Role and Functions of the Director of Public Health</p> <p>2.2 Many of the Director of Public Health's</p>	To accurately reflect

	<p>functions are prescribed by law and match exactly the corporate public health duties of the Council. The Director is directly accountable to the Council's Chief Executive for the delivery of the public health functions of the Council. The core functions are:</p> <ul style="list-style-type: none"> • To be responsible for all of the Council's duties to take steps to improve public health; • To be responsible for any of the Secretary of State's public health protection or health improvement functions that he/she delegates to local authorities either by arrangement or under regulations; this includes the following mandated services: <ul style="list-style-type: none"> o Weighing and measuring of children; o Health check assessments; o Sexual health; and o Water Fluoridation programmes (where applicable); • To be responsible for exercising the Council's functions in planning for, and responding to, emergencies that present a risk to public health; • To be responsible for the Council's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders; • To be responsible for providing free public health advice to the Clinical 	<p>functions are prescribed by law and match exactly the corporate public health duties of the Council. The Director is directly accountable to the Council's Chief Executive for the delivery of the public health functions of the Council. The core functions are:</p> <ul style="list-style-type: none"> • To be responsible for all of the Council's duties to take steps to improve public health; • To be responsible for any of the Secretary of State's public health protection or health improvement functions that he/she delegates to local authorities either by arrangement or under regulations; this includes the following mandated services: <ul style="list-style-type: none"> o Weighing and measuring of children; o NHS Health check offer and assessments; o Sexual health; o Water Fluoridation programmes (where applicable); <ul style="list-style-type: none"> o Public Health Advice to the Clinical Commissioning Group for the area; and o Protecting the health of the local population. • To be responsible for the 0 to 5 Healthy Child Programme, including the following mandated elements of the universal service: <ul style="list-style-type: none"> o Antenatal health promoting visits; o New baby review; o 6-8 week assessment; o 1 year assessment; and 	<p>the role and functions.</p>
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	<p>Commissioning Group for the area; and</p> <ul style="list-style-type: none"> • To be responsible for any other such functions as the Secretary of State specifies in Regulations. 	<p>o 2-2½ year review.</p> <ul style="list-style-type: none"> • To be responsible for exercising the Council's functions in planning for, and responding to, emergencies that present a risk to public health; • To be responsible for the Council's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders; and • To be responsible for any other such functions as the Secretary of State specifies in Regulations. 	
2.3	<p>In addition to the above, the functions of the Director of Public Health can be seen as falling into two broad areas as set out below (note that this is not an exhaustive list).</p> <p>Prevention of ill health, Health Improvement and reducing health inequalities</p> <p>This is achieved through:</p> <ul style="list-style-type: none"> • Ensuring the mechanisms are in place to lead the Council and its partners in the transformational change necessary to meet Vision 2030 targets of the healthiest population in England by 2030; 	<p>2.3 In addition to the above, the functions of the Director of Public Health can be seen as falling into two broad areas as set out below (note that this is not an exhaustive list).</p> <p>Prevention of ill health, Health Improvement and reducing health inequalities</p> <p>This is achieved through:</p> <ul style="list-style-type: none"> • Ensuring the mechanisms are in place to lead the Council and its partners in the transformational change necessary to realise the aspirations of Vision 2030; 	<p>There are no longer Vision 2030 targets as specified in the original Protocol.</p>
		3.1 In order to discharge his/her responsibility	

	<p>3.1 In order to discharge his/her responsibility to the Council and deliver real improvements to local public health, the Director must have an overview of the Council's activity and the necessary degree of influence over it.</p> <p>This is achieved through:</p> <ul style="list-style-type: none"> • Being a standing member of the Health and Wellbeing Board and Community Safety Board; • Inclusion in the Council's corporate management team (Strategy Group) for consideration of all public health issues (including regular attendance on a monthly basis), and in the Care, Wellbeing and Learning Management Team generally, and at other service groups' management teams where appropriate; • Having full access to papers considered by the Council's corporate management team (via the CBS Management Team's access systems), IT-based information systems, and other information needed to inform and support the delivery of all his/her functions; • Having day to day control of, and accountability for, the Council's ring-fenced Public Health Grant as 	<p>to the Council and deliver real improvements to local public health, the Director must have an overview of the Council's activity and the necessary degree of influence over it.</p> <p>This is achieved through:</p> <ul style="list-style-type: none"> • Being a standing member of the Health and Wellbeing Board and Community Safety Board; • Inclusion in the Council's corporate management team (Strategy Group) for consideration of all public health issues (including regular attendance at Strategy Group), and in the Care, Wellbeing and Learning Management Team generally, and at other service groups' management teams where appropriate; • Having full access to papers considered by the Council's corporate management team (via the CWL Management Team's access systems), IT-based information systems, and other information needed to inform and support the delivery of all his/her functions; • Having day to day control of, and accountability for, the Council's ring-fenced corporate Public Health budget (such accountability being directly to 	<p>Attendance at all Strategy Group meetings is now required.</p> <p>To reflect the current structure.</p> <p>To remove the historical references.</p>
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	provided to the Council in 2013/14 and 2014/15, and from budget year 2016/17 the corporate Public Health budget (such accountability being directly to the Council's Chief Executive) as determined by the Council each budget year;	the Council's Chief Executive) as determined by the Council each budget year;	
242	<p>Protocol on Councillor Officer Relations</p> <p>14.2 The Council endorses these principles and accordingly seeks to provide members with a range of support services, including</p> <ul style="list-style-type: none"> • stationery, typing and photocopying • the use of certain employees, such as the Members' Secretary and support staff in the Cabinet Office • an increasingly wide range of ICT services, including some services which can be used by councillors in their own homes. <p>14.4 In using the Council's ICT resources councillors must comply with the Councillors' ICT Security Policy Failure to comply could have serious consequences for the Council, for example in exposing it to legal liability</p>	<p>Protocol on Councillor Officer Relations</p> <p>14.2 The Council endorses these principles and accordingly seeks to provide members with a range of support services, including</p> <ul style="list-style-type: none"> • stationery, typing and photocopying • the use of certain employees, such as the Members' Secretary and support staff in the Cabinet Office • an increasingly wide range of IT services, including some services which can be used by councillors in their own homes. <p>14.4 In using the Council's IT resources councillors must comply with the Councillors' IT Security Policy Failure to comply could have serious consequences for the Council, for example in exposing it to legal liability</p>	To reflect the change in service designation to IT Services.
249	<p>Statement on the Role of the Ward Councillor as Community Champion</p> <p>1. As a general principle, our neighbourhood arrangements will recognise the position of the ward or "front-line" councillor as the</p>	<p>Statement on the Role of the Ward Councillor as Community Champion</p> <p>1. As a general principle, our neighbourhood management arrangements will recognise the position of the ward or "front-line"</p>	To reflect the arrangements previously

250	<p>legitimate, democratically elected representative of the people and communities within his/her ward.</p> <p>5. As part of their role in advocating for local communities and developing neighbourhood priorities, ward councillors will also have an important relationship with their Area Forum, even where they are not part of its formal membership. There will be instances where they will wish to submit items for the agenda, and attend and speak at the meeting, particularly when putting the case for some local variation in service standards. This route will also be appropriate for raising problems which need solving through the Council's partners. As a matter of course, councillors will receive agendas and minutes for their Area Forum. They can also raise concerns with the Cabinet member for the area.</p> <p>6. As well as Area Forums, there are other important channels of communication with ward members such as ward liaison meetings and Leader's visits. In addition the Councillors' Charter for Consultation and Communication sets out clear and consistent standards which officers across the Council are expected to follow in consulting ward councillors and responding to their enquiries.</p>	<p>councillor as the legitimate, democratically elected representative of the people and communities within his/her ward.</p> <p>Delete this section</p> <p><i>Renumber remaining sections</i></p> <p>6. There are other important channels of communication with ward members such as ward meetings. In addition the Protocol for Communicating and Consulting with Councillors sets out clear and consistent standards which officers across the Council are expected to follow in consulting ward councillors and responding to their enquiries.</p>	<p>implemented by the Council.</p> <p>To reflect current arrangements.</p> <p>To reflect the current arrangements.</p>
256	<p>Part 7 – Management Structure</p> <p>N/A</p>	<p>Part 7 – Management Structure</p> <p>Amend Part 7 to reflect the current</p>	<p>To reflect changes in</p>

		management structure.	the management structure since the last review of the constitution.
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