

REPORT TO COUNCIL

REPORT OF: CORPORATE MANAGER, DEMOCRATIC AND
LEGAL SERVICES

REPORT NO. DLS43

DATE: 8th September 2005

TITLE:	AMENDMENTS TO THE CONSTITUTION – DELEGATION TO OFFICERS
FORWARD PLAN ITEM:	N/A
DATE WHEN FIRST APPEARED IN FORWARD PLAN:	N/A
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A

COUNCIL AIMS/PORTFOLIO HOLDER NAME AND DESIGNATION:	N/A
CORPORATE PRIORITY:	CORPORATE GOVERNANCE AND MANAGEMENT OF COUNCIL BUSINESS
CRIME AND DISORDER IMPLICATIONS:	N/A
FREEDOM OF INFORMATION ACT IMPLICATIONS:	THIS REPORT IS PUBLICLY AVAILABLE VIA THE COUNCIL'S WEBSITE – WWW.SOUTHKESTEVEN.GOV.UK UNDER “LOCAL DEMOCRACY – AGENDA AND MINUTES”
BACKGROUND PAPERS:	THE COUNCIL'S CONSTITUTION

1. HEAD OF WASTE AND CONTRACT SERVICES

INTRODUCTION

- 1.1 Part 3 of the Constitution deals with a list of powers delegated to officers. Due to operational changes concerning the enforcement of fixed penalty tickets for graffiti and fly posting and the introduction of the Anti-Social Behaviour Act 2003 it is necessary to include the Head of Waste and Contract Services as an authorised officer in respect of the issuing of fixed penalty fines/tickets for graffiti and fly posting.
- 1.2 This authority is required in order to undertake joint initiatives with the police regarding this specific type of enforcement.

RECOMMENDATIONS

- 1.3 It is recommended that the Head of Waste and Contract Services be an authorised officer for the purposes of the enforcement of the graffiti and fly posting provisions of the Anti-Social Behaviour Act 2003.
- 1.4 It is further recommended that the Head of Waste and Contract Services be also authorised to designate in writing any other officers that are authorised by the Council to enter premises for these various statutory purposes and also to act in respect of the enforcement of various statutory provisions relating to graffiti and fly posting within the Anti-Social behaviour Act 2003.

2. HEAD OF PAID SERVICE

- 2.1 In light of recent restructures and potential future restructures a review of the scheme of delegation has been undertaken. Accordingly, to ensure the scheme of delegation is kept up to date and fit for purpose, it is recommended that the Head of Paid Service be granted powers to maintain the scheme of delegation and make appropriate arrangements for continual review on a monthly basis as part of the ongoing monitoring arrangements.

RECOMMENDATION

- 2.2 It is recommended that the Head of Paid Service be made responsible for maintaining and updating the scheme of delegation to officers.

3. CHIEF EXECUTIVE'S APPRAISAL PANEL

- 3.1 From reviewing the constitution it has been noted that the Chief Executive's Appraisal Panel has not been specified in Part 3 of the Constitution.
- 3.2 The panel has been constituted since 2001 and has comprised the Leader, Deputy Leader of Council together with the Leaders of the two other major political groups.

3.3 This composition was referred to in the Chief Executive's report CEX 267 at the Council meeting on 27th January 2005. No change to the membership of the panel was made at that meeting.

3.4 **It is therefore reported to Council for information that this panel will now be included in Part 3 of the Constitution.**

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