

AGENDA ITEM 8

Appendix 1

Proposed Constitutional amendments

	Proposed amendment	Constitution location	Comments
	Scheme of Delegation – Ward Councillor Decisions and Sub-Delegation of Powers. Updated wording to reflect current arrangements and a revised management structure for the service area.	Part 2 – Responsibility for Functions (Section 9 -Scheme of Delegation)	<p>Proposed amendments to wording are shown tracked and in bold.</p> <p>5 <u>Sub delegation of powers</u></p> <p>The powers delegated to portfolio holders and officers within this Scheme may be sub-delegated by them to other officers by means of a delegated decision. Officer to officer delegations should be in writing, and the department should maintain a register of such delegation to be available for inspection of request. Portfolio holder to Officer delegations should be in writing , with a copy of the notice of the delegation being sent to the Head of Democratic Services with the department also maintaining a register of such delegations to be available for inspection on request. A recommended form for use by departments is set out later in this Part.</p> <p>7 <u>Ward Councillor Decisions</u></p> <p>(i) Ward Councillor Budgets are allocated at the start of the financial year to be spent on supporting ward initiatives. Area Committees divide their overall Ward Councillor Budgets between an Area Allocation Budget, to fund grants to community and voluntary sector organisations and inter-ward initiatives, and individual Ward Support Budgets, to</p>

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			<p>fund other initiatives recommended by the relevant Ward Councillor;</p> <p>(ii) the Corporate Director for Communities, Director of Neighbourhoods and Communities and the Locality Managers have delegated authority to take expenditure decisions having regard to the recommendation of the relevant Ward Councillor(s); and where either the Corporate Director, Director of Neighbourhoods and Communities or Locality Managers are not prepared to take a decision in such circumstances, then the proposal will be reported to the Area Committee for decision. in relation to:</p> <p>(a) individual Ward Support Budgets, having regard to the recommendation of the relevant Ward Councillor(s); and</p> <p>(b) urgent funding requests, from Area Allocation Budgets, having regard to the outcomes of consultation with relevant members and the reason for urgency;</p> <p>and where either Director of not prepared to take a decision in such circumstances, then the proposal will be reported to the Area Committee for decision;</p> <p>(iii) any individual Ward Support Budget not spent</p>

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			or allocated to a project at municipal year end is to then be allocated to the relevant Area Committee's Area Allocation Budget.
2	<p>Regulatory and Appeals Committee Terms of Reference.</p> <p>The addition of wording to correct a previous omission.</p>	Part 2 – Responsibility for Functions (Scheme of Delegation)	<p>The addition of the wording shown in bold type below to paragraph (a) of the Regulatory and Appeals Committee Terms of reference in order to correct an omission.</p> <p>“(a) To deal with applications for local licences and registrations of various kinds including:</p> <ul style="list-style-type: none"> • Those licensing and registrations functions and functions relating to health and safety at work which are contained in Schedule 1 of the Functions Regulations and are listed below under I, II and III: • the Nottinghamshire County Council Act 1985 • regulation, under the Nottingham City Council Act 2003, of occasional sales and dealers in second-hand goods • but excluding matters which are statutorily the responsibility of the Licensing Committee.
3	<p>Scheme of Delegation – Chief Executive and Corporate Directors (Remits of Responsibility)</p> <p>To reflect a decision taken by the Council's Appointments and Conditions of Service</p>	Part 2 – Responsibility for Functions (Scheme of Delegation)	On 6 September 2011, ACOS resolved to permanently reassign the statutory function of the DASS to the Corporate Director of Children and Families. It further clarified that the provider services for adults would remain with the Communities department, while the delivery and

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	Committee (ACOS) on 6 September 2011.	Paragraph 9 (v) And Section 6 – Statutory Officers and proper officers	commissioning, assessment and re-ablement services for Adult Social Services would come under the Children and Families department. The summary description of the remit of responsibility for the Corporate Director for Children and Families now reflects the ACOS resolution. This decision is also reflected in Section 6 – Statutory Officers and proper officers.
4	Executive Procedure Rules – minor revisions to reflect the process being followed for Leader's Key Decision meetings	Part 4 Procedure Rules and Standing Orders	<p>Executive Board Procedure Rules to be renamed Executive Procedure Rules to take into account that the rules also apply to Leader's Key Decision meetings.</p> <p>The addition of the following new paragraph 3 to Executive Procedure Rules as follows:</p> <p>3. How are Leader's Key Decisions taken?</p> <p>3.1 When and where? The Leader will take Key Decisions as and when it is required but in accordance with these rules.</p> <p>3.2 Access to agenda and reports before the meeting</p> <p>Executive key decisions which are to be taken by the Leader will be taken at a meeting convened in accordance with the Access to Information Rules in Section 4 of this Part.</p> <p>3.3 The Council will make available copies of the</p> <p>(a) agenda for the meeting; and</p> <p>(b) reports relating to items being</p>

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			<p>recommended for decision.</p> <p>3.4 Who may attend? Leader's key decision meetings will be open to the public except where confidential or exempt information as defined in the Local Government Act 1972 is being discussed.</p> <p>3.5 Order of business At the Leader's Key Decision meeting the following business, to be in accordance with the Forward Plan of Key Decisions, will be conducted:</p> <ul style="list-style-type: none"> (a) declarations of interests, if any; (b) consideration of Leaders items being recommended for decision at the meeting. <p>3.6 Access to records of the decision etc after the meeting</p> <p>The Council will make available copies of the following for six years after a meeting:</p> <ul style="list-style-type: none"> (a) records of decisions taken, together with all reasons, for all meetings and for all decisions excluding any part of the record not open to the public or which discloses exempt or confidential information; (b) the agenda for the meeting; and (c) reports relating to items being recommended for decision at the meeting.
		Part 2 –	Amendment to paragraph (11(ii)) of Part 2 Responsibility

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		Responsibility for Functions (Scheme of Delegation – Section 9)	<p>for Functions Section 9 Scheme of delegation</p> <p>The following wording shown in Bold has been added to the paragraph to clarify that Leader’s Key Decisions will be taken in accordance with paragraph 3 of the Executive Procedure Rules.</p> <p>“(ii) Who can take Key Decisions?</p> <p>Nottingham City Council has decided (and included within the provisions of this Constitution) that Key Decisions may be taken by the Leader of Part 2 – Responsibility for Functions (Scheme of Delegation) of the Council, Executive Board and the Executive Board Commissioning Sub Committee. The taking of Key Decisions must be undertaken in compliance with the Executive Procedure Rules set out in Part 4 of the Constitution. Key Decisions being taken by the Leader shall be in accordance with paragraph 3 of the Executive Procedure Rules.”</p>
5	Executive Board Terms of Reference – minor amendment for clarity	Part 2 – Responsibility for Functions (Scheme of Delegation)	<p>The following wording shown tracked in bold type below has been added to paragraph (c) of the Executive Board Terms of Reference. This additional wording is for clarity.</p> <p>Accordingly the role of the Executive Board is to:</p> <p>...</p> <p>...</p> <p>(c) take all other decisions that are not delegated to a specific committee or individual within the Scheme of Delegation or any that have been reserved by the</p>

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			<p>Leader.</p> <p>Amended wording to the following paragraph for clarity and to make the wording more generic.</p> <p>“Representation for the minority groups is provided by giving both Leaders of groups the right to attend and speak at Executive Board meetings, including when exempt items are being considered.”</p>
6	<p>Standing Orders for Full Council</p> <p>To reflect the current civic structure and to bring the Petitions Scheme criteria in line with the same criteria used for public questions.</p>	Part 4 – Procedure Rules and Standing Orders	<p>Amend the following paragraphs to replace the reference to Deputy Lord Mayor with Sheriff, as the title Deputy Lord Mayor no longer exists:</p> <p>2(a) 4(a) 18(b)</p> <p>Amend the wording of paragraph 3 (b) to reflect the changes to the criteria for petition organisers and signatories in the Petition Scheme:</p> <p>Petitions may be submitted at a meeting of Council by citizens who live, work and study that live or have a business address (but not employees of businesses) within the City boundary.</p>
7	<p>Financial Regulations – Wording has been added to Financial Regulations to reflect more clearly that the City Council operates under the Strong Leader and Cabinet Governance Model and the source of executive authority.</p>	Part 5 – Financial Regulations	<p>Amended wording added to reflect the adoption by full Council of the Strong Leader and Cabinet Governance Model. This additional drafting merely confirms the operation of existing governance arrangements and the source of executive authority.</p>

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			<p>Amended wording is shown below tracked in bold type.</p> <p>Definitions Portfolio Holder means a councillor who has been delegated responsibility for defined areas of responsibility for specific service(s) and/or strategic issues (Portfolio) by the Leader of the Council.</p> <p>Section 1 Introduction and Background - paragraph 1.7</p> <p>The authority has adopted a Strong Leader and Cabinet model of Executive Governance. This gave the Leader of the Council effective control of executive governance arrangements including choice of membership and size of the cabinet (known at Nottingham City Council as Executive Board), the allocation of portfolio responsibilities and general delegations of executive functions.</p> <p>Section 2 – Status of Financial Regulations paragraph 2.4</p> <p>The Leader of the Council, Portfolio Holders and Corporate Directors may vest their responsibilities in such other departmental colleagues in provided that the Corporate Director formally authorises them and as based upon the process in accordance with the process set out in the Scheme of Delegation in Part 4 of the Constitution.</p> <p>Section 3 – Overall Financial Responsibilities</p>

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			<p>The full Council paragraph 3.4 Approving procedures for recording and reporting decisions taken. This includes those key decisions delegated by and decisions taken by the Council and its Committees. These delegations and details of who has responsibility for which decisionsThe Scheme of Delegation details who has responsibility for which decisions and are set out in Part 4 of the Constitution.</p> <p>Paragraph 3.5</p> <p>Executive Board Leader of the Council</p> <p>3.1 The Leader is elected by Full Council at its post election annual meeting (for a four year term). The term of office of the Leader starts on the day of his/her election as Leader and ends on the day of the next post election annual meeting (under whole elections). The Leader of the Council may determine to exercise any of the executive functions of Council personally, or may arrange for the exercise of any of the Council's executive functions by:</p> <ul style="list-style-type: none"> • the Executive; or • by another Executive Councillor; or • by a committee of the Executive; or • by an officer of the Council. <p>The Leader appoints one the members of the Executive Board to be his/her deputy, who will hold office until the end of the term of office as</p>

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			<p>Leader. The Leader also determines the size of the Cabinet (Executive) and appoints between 2 and 9 members of the Council to be the Executive Board in addition to him/herself, and allocates defined areas of responsibility for specific service and strategic issues (known as Portfolios) to them. The Leader appoints one of the members of the Executive Board to be his/her deputy, who will hold office until the end of the term of office as Leader.</p> <p>Paragraph 3.6</p> <p>Executive Board's responsibilities include:</p> <ul style="list-style-type: none"> • taking key decisions (Leader, Executive Board and Executive Board Commissioning Sub Committee only); • proposing the policy framework and budget to the full Council and requiring the development of plans and strategies for approval by full Council that form the Policy Framework <p>Paragraph 3.7</p> <p>Executive decisions can be delegated to: Area committees, Portfolio holders and Colleagues.</p> <p>Paragraph 3.8 Executive Board</p>

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			<p>Executive Board is also able to enter into partnership arrangements with other authorities. The Leader is able to enter into partnership arrangements with one or more local authorities and/or their executives to exercise functions which are executive functions.</p> <p>Paragraph 3.9 Executive Board is responsible for establishing protocols to ensure that individual executive members consult with relevant officers before taking a decision within his or her delegated authority. In doing so, the individual councillors must take account of legal, human resource and financial liabilities and risk management issues that may arise from the decision.</p> <p>Paragraph 3.10 becomes 3.9 Overview and Scrutiny Committee</p> <p>Paragraph 3.23 Corporate Directors (h) Corporate Directors may vest their responsibilities in other people provided that the Corporate Director gives their written authorisation and that it is done so in accordance with the detailed Scheme of Delegation set out in Part 4 of the Constitution.</p> <p>Paragraph 3.27 Dispensations from Financial Regulations – proposed amendment to reflect the new Overview & Scrutiny structure</p> <p><u>Operational issues (Dispensation is sought when the estimated value of the affected scheme is at or above Key</u></p>

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			<p><u>Decision level).</u></p> <p>With the prior approval of the Executive Board or the relevant Portfolio Holder and in consultation with the Portfolio Holder with responsibility for Finance, the provisions of the Contract Procedure Rules within Financial Regulations may be dispensed with. The Chief Financial Officer's observations must be included in any report seeking such a dispensation. The Chief Executive or a Corporate Director shall report the circumstances to the next meeting of the Overview and Scrutiny Committee the Chair of Overview and Scrutiny.</p>
8	Overview and Scrutiny Procedure Rules – amendments proposed as a result of the Localism Act 2011.	Part 4 Procedure Rules and Standing Orders	<p>Paragraph 8 (b) – amendments shown in bold type</p> <p>(b) In accordance with the Localism Act 2011 section 119 of the Local Government and Public Involvement in Health Act 2007 any member of the authority may refer to the Overview and Scrutiny Committee any local government matter relevant to the functions of the Committee and which is not an excluded matter.</p> <p>Paragraph 16 – Councillor Call for action – amendments shown in bold type below.</p> <p>The Councillor Call for Action (CCfA) provides councillors with an additional method of resolving issues of concern in their local areas, providing he or she has exhausted all other means of resolving the issue locally.</p>

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			Any member of the authority can refer a matter to the Overview and Scrutiny Committee which is relevant to the functions of the Committee in accordance with section 119 of the Local Government and Public Involvement in Health Act 2007 CCfAs will relate to services for which the authority is responsible, i.e. ‘any local government matter’ except an ‘excluded matter’. This is known as a CCfA.

Amendments to Table of Delegations

Listed below are proposed revisions to the table of delegations as set out in Part 2 of the Council's Constitution. These revisions are either to the delegation wording or to the person to whom the function is delegated. Under the Strong Leader and Cabinet Model of Governance, the vast majority of these revisions are executive in nature and are therefore presented to full Council for noting only. However those revisions that affect non-executive delegations do require the adoption of full Council.

Table of delegations reference number	Current wording	Proposed new wording
<p>Was 6, 7 & 10. Now amalgamated to form delegation reference 7</p>	<p><u>Acceptance of Tenders</u> To accept tender(s) or bid(s) for the carrying out of works for the Council, the purchase, leasing or hiring of goods, materials and equipment by the council, or the supply of services to the council where the estimated contract value over £50,000. A quarterly report must be forwarded to the Chief Finance Officer which sets out all schemes let under this authority in the preceding quarter.</p> <p>Delegated to: General function to all Corporate Directors for all matters within their remit</p> <p><u>Tenders – Contract Documentation</u> To enter into contract documentation following tender/bid acceptance (subject to the provisions of Financial Regulations relating to contract formalities and the execution of contracts under seal – for Schemes with a value of £2 million or more).</p>	<p>New wording proposed for clarity</p> <p><u>Authorisation to invite and accept tender(s) and bid(s)</u></p> <p>Up to contract value of £25,000 1.To have the power to invite tender(s) or bid(s) and to accept tender(s) or bid(s) for the carrying out of works for the Council, the purchase, leasing or hiring of goods, materials and equipment by the council, or the supply of services to the council where the estimated contract value is below £25,000, subject to compliance with Contract Procedure Rules which require three quotations to be sought where the contract values are between £10,000 and £50,000;</p> <p>Delegated to: General function to all Corporate Directors for all matters within their remit</p> <p>For contract values above £25,000 2. (a) To have the power to invite tender(s) or bid(s) and to</p>

	<p>Delegated to: General function to all Corporate Directors for all matters within their remit</p> <p><u>Acceptance of Tender</u> Provided that authority to a let a contract has been obtained acceptance of the most economically advantageous tender or bid for the award of concession/sponsorship contracts and the acceptance of other than the highest tender or bid with the agreement of the Chief Executive and the Deputy Chief Executive/Corporate Director for Resources.</p> <p>Delegated to: General function to all Corporate Directors for all matters within their remit</p>	<p>accept tender(s) or bid(s) for the carrying out of works for the Council, the purchase, leasing or hiring of goods, materials and equipment by the council, or the supply of services to the council where the estimated contract value is above £25,000, subject to the appropriate level of executive Councillor or Board approval being sought and in compliance with Contract Procedure Rules which require:</p> <ul style="list-style-type: none"> (i) three quotations to be sought were the contract values are between £10,000 and £50,000; (ii) a full tender process being undertaken for a (iii) contract estimated to exceed £50,000. <p>For any schemes let in accordance with 2 above, a quarterly report must be forwarded to the Chief Finance Officer setting out the details of schemes let under this authority in the preceding quarter.</p> <p>Delegated to:</p> <p>Executive Board or Portfolio Holder depending on value of tender(s) or bid(s)</p> <p>(3) Provided that authority to a let a contract has been obtained, acceptance of the most economically advantageous tender or bid for the award of concession/sponsorship contracts and the acceptance of other than the highest tender or bid with the agreement of the Chief Executive and the Deputy Chief Executive/Corporate Director for Resources.</p>
13 & 14 – joined to become	<p><u>Management of stock</u> Subject to the agreement of the Deputy Chief</p>	Amalgamation of two delegations for clarity

reference 13	<p>Executive/Corporate Director for Resources:</p> <ul style="list-style-type: none"> (i) the writing off of debts which are irrecoverable or losses due to burglaries, break-ins, etc and (ii) the writing off or making adjustments in respect of deficiencies or surpluses of stock, equipment, etc. <p>Delegated to:</p> <p>General function to all Corporate Directors for all matters within their remit</p> <p><u>Write-off of redundant stocks and equipment</u> To authorise write-off and disposal of redundant stocks and equipment. The procedures for disposal for such stocks and equipment should be by competitive quotations or auction, unless following consultation with Chief Finance Officer, Executive Board.</p> <p>Delegated to:</p> <p>General function to all Corporate Directors for all matters within their remit</p>	<p><u>Management of stock</u> Subject to the agreement of the Deputy Chief Executive/Corporate Director for Resources:</p> <ul style="list-style-type: none"> (iii) the writing off of debts which are irrecoverable or losses due to burglaries, break-ins, etc and (iv) the writing off or making adjustments in respect of deficiencies or surpluses of stock, equipment, etc (v) the write-off and disposal of redundant stocks and equipment. The procedures for disposal for such stocks and equipment should be by competitive quotations or auction. <p>Delegated to:</p> <p>General function to all Corporate Directors for all matters within their remit</p>
16	<p><u>Management of Employees</u> The recruitment, management and discipline of all employees in their department below the level of Director, in accordance with and subject to restrictions in the relevant national and local schemes and conditions of service, as set out in:</p>	<p>Minor amendment to wording for clarity</p> <p><u>Management of Employees</u> To recruit, (within approved staffing budgets) manage and discipline all employees in their department below the level of Director, in accordance with and subject to restrictions in the</p>

	<p>(a) the City Council's People Management Handbook,</p> <p>(b) the Officer Employment Procedure Rules and Appointments and Conditions of Service Committee terms of reference (as set out in the Council's Constitution); and</p> <p>(c) the approved budget provision not being exceeded,</p> <p>noting that these may be reviewed and amended from time to time to reflect the changing needs of the Council, in consultation (or where necessary, negotiation) with recognised trade unions).</p> <p>Note to Corporate Directors: In exercising this general delegation, reference should always be made to the specific procedures as set out in the People Management Handbook.</p> <p>Delegated to: General function to all Corporate Directors for all matters within their remit</p>	<p>relevant national and local schemes and conditions of service, as set out in:</p> <p>(d) The Council's People Management Handbook, and</p> <p>(e) the Officer Employment Procedure Rules and Appointments and Conditions of Service Committee terms of reference (as set out in the Council's Constitution); and</p> <p>(f) the approved budget provision not being exceeded,</p> <p>noting that these may be reviewed and amended from time to time to reflect the changing needs of the Council, in consultation (or where necessary, negotiation) with recognised trade unions)-.</p> <p>Note to Corporate Directors: In exercising this general delegation, reference should always be made to the specific procedures as set out in the People Management Handbook.</p> <p>Delegated to: General function to all Corporate Directors for all matters within their remit</p>
36	<p><u>Outside Bodies – Appointments</u></p> <p>To approve and action in-year nominations to outside bodies as directed by relevant group whips.</p> <p>Delegated to: Deputy Chief Executive / Corporate Director for Resources</p>	<p>Amendment proposed for clarity</p> <p><u>Outside Bodies – Appointments</u></p> <p>To approve and action in-year nominations to existing outside bodies on the register as directed by relevant group whips.</p> <p>Delegated to:</p>

		Deputy Chief Executive / Corporate Director for Resources
127	<p>Community Protection – Various Environmental Protection delegations</p> <p>The delegations listed below are in summary form, but the delegations granted are of the complete function including the investigation of offences and, where relevant, the power to enter land, seize property, and to issue and enforce fixed penalty notices, other notices, and also includes the delegation of any provision supportive of that function.</p> <ol style="list-style-type: none"> (1) Leaving litter (2) Failure to comply with litter clearing notice - Power to serve notice (3) Failure to comply with Street Litter notice - power to serve notice (4) Unauthorised distribution of free printed matter (5) Fly-tipping (6) Breach of Duty of Care – Business (7) Breach of Duty of Care – householder (8) Failure to comply with notice relating to waste receptacles (9) Failure to comply with notice relating to commercial waste receptacles (10) Power to seize stray dogs (11) Offences for breach of Dog Control Orders (12) Exposing a vehicle for sale on a road (13) Repairing vehicles on a road (14) Offences in relation to alarm notification areas (15) Abandonment of vehicles or other refuse (16) Transporting Controlled Waste without registering 	<p>The proposed wording in relation to this delegation has been made more precise in relation to the functions it applies to. The nature of the previous wording was specific but risked functions being missed. This is a service area where clarity in delegations are particularly important, as the nature of the service regularly means that the City Council is either pursuing a prosecution in order to protect the public and community and they must be able to demonstrate to the Courts and Citizens that they have authority to take such actions. The revised wording allows the Corporate Director of Communities and Director of Community Protection the authority they require to run services effectively and sub delegate authorities to their Officers. It should be noted that while the proposed delegation is a specific delegation, it is still subject to the general financial thresholds that are set out in paragraph 10, Section 7, Scheme of Delegation.</p> <p>Revised proposed wording</p> <p>This is a delegation to the Corporate Director of Communities and Director of Community Protection. The exercise of this delegation could be either executive or non-executive depending on the circumstances.</p> <p>The power to exercise the Public and Community Protection functions within the remit of the Corporate Director of Communities, including:-</p> <ul style="list-style-type: none"> • Environmental Health • Trading Standards • Food Safety and Standards • Health and Safety enforcement • Noise and Pollution Control

	<p>(17) Failing to comply with request to produce authority to transport controlled waste</p> <p>(18) Failure to remove dog faeces forthwith (Act has been repealed, but remains in force until new Dog Control Order made)</p> <p>(19) Offences where noise from a dwelling exceeds permitted level after service of a notice</p> <p>(20) Graffiti – fixed penalty notice</p> <p>(21) Unauthorised marks on highways – Fixed penalty notice</p> <p>(22) Pulling down/obliterating traffic sign without lawful excuse – Fixed penalty notice</p> <p>(23) Dispersal Orders – local authority consent</p> <p>(24) Class A Controlled Drugs – premises use, production and supply – Closure Order – local authority consent</p> <p>(25) Premises Closure Orders – persistent disorder/nuisance – local authority consent</p> <p>Delegated to:</p> <p>Corporate Director for Communities</p> <p>Director for Community Protection</p>	<ul style="list-style-type: none"> • Statutory Nuisance • Public Health • Tobacco Control and Strategy • Student Strategy • Houses in Multiple occupation • Housing strategy • Infectious disease control • Dog and pest control • Licensing Registration and Permits • Parking • CCTV • Licensing permits and regulation • Prevention of terrorism • Community safety • Abandoned and untaxed vehicles • Enviro-crime, crime and anti-social behaviour (including litter, high hedges, graffiti and relevant functions of the Council as Local Planning Authority such as enforcement powers relating to the amenity of land, advertisement control etc). <p>The delegations granted are of the complete functions within their remit including the exercise of all relevant duties and powers under any legislation or at Common Law. This includes the power to do anything which is calculated to facilitate, or is conducive, or incidental to the discharge of those functions including those things cited by way of example in delegation 1 above.</p> <p>Note: reference to 1 above, is to delegation 1 within the table of delegations which is detailed below for information.</p> <p><u>All functions within remit</u></p>
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		<p>understanding, and carry out any associated powers and duties.</p> <p>Delegated to:</p> <p>Corporate Director for Communities Director for Community Protection</p>
275	<p><u>Education Welfare Officers - Authorisation to institute or defend the authority in legal proceedings</u></p> <p>New delegation</p>	<p><u>Education Welfare Officers - Authorisation to institute or defend the authority in legal proceedings</u></p> <p>Authority to appoint City Council representatives to carry out the following functions:</p> <ul style="list-style-type: none"> (i) to initiate, prosecute, defend or appear in legal proceedings in the Magistrates Court on behalf of the Local Authority in respect of Sections 437, 438, 440, 442, 443, 444, 447 and 559 of the Education Act 1996; Section 103 of the Education and Inspections Act 2006; Section 36 of the Children Act 1989 (Education Supervision Orders); Section 20 of the Anti-Social Behaviour Act 2003; City Council Bye Laws governing the employment of children under the Children and Young Persons Act 1933 and 1996 and any consolidation and amending information or by virtue of any subsequent statutory consolidation or amendment to the above mentioned Acts; (ii) to monitor the employment of children of compulsory school age and register them for entertainment licences.

		<p>Executive Delegation to:</p> <ul style="list-style-type: none"> • Corporate Director for Children and Families • Director of Legal and Democratic Services
113 (a)	<p><u>Nottingham Theatre Royal and Concert Hall – Marketing Brochure</u></p> <p>New delegation</p>	<p><u>Nottingham Theatre Royal and Concert Hall – Marketing Brochure</u></p> <p>Authority to produce a quarterly marketing brochure for forthcoming productions and events for both the Theatre Royal and Royal Concert Hall:</p> <p>(1) up to a spend of £85,000 per financial year; and</p> <p>(2) subject to the brochure being produced by providers who have been the subject of a full and proper procurement exercise directly by the City Council which remains valid at the time of commission.</p> <p>Executive delegation to:</p> <ul style="list-style-type: none"> • Corporate Director for Communities • Director for Economic Innovation and Employment • Managing Director of Nottingham Theatre Royal and Concert Hall
82(a)	<p>Delegation currently included within the introduction to the Scheme of Delegation in Part 2 – Responsibility for Functions (Section 9 -Scheme of Delegation)</p>	<p><u>Ward Councillor Decisions</u></p> <p>The Corporate Director for Communities, Director of</p>

	<p>Paragraph 7.</p> <p>The proposed amendment includes this in the table of delegations for clarity purposes only.</p>	<p>Neighbourhoods and Communities and the Locality Managers have delegated authority to take expenditure decisions having regard to the recommendation of the relevant Ward Councillor(s); and where either—the Corporate Director, Director of Neighbourhoods and Communities or Locality Managers are not prepared to take a decision in such circumstances, then the proposal will be reported to the Area Committee for decision.</p>
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EQUALITY IMPACT ASSESSMENT FORM

APPENDIX 3

Name and brief description of proposal / policy / service being assessed

Proposed changes to Constitution and Financial Regulation amendments. Details of changes set out in report to City Council May 2012

Information used to analyse the effects on equality

Discussions with Equality and Community Relations Team; Equality team review of approach to equality impact assessment 2011

	Could particularly benefit (X)	May adversely impact (X)	How different groups could be affected: Summary of impacts	Details of actions to reduce negative or increase positive impact (or why action not possible)
People from different ethnic groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> The revised financial regulations will help ensure most effective use of resources to provide Council services to citizens including services to vulnerable groups and schools. Wider procurement equality priorities and processes are identified in the Nottingham Commissioning Framework. The creation of Locality Boards provides an opportunity to improve the representation of disabled people, BME citizens and other groups in decision making. Involvement in Locality Boards may provide a significant pathway for citizens to progress into other decision making roles such as becoming a councillor or magistrate. No other impacts identified. 	<p>None – the proposals have already been adjusted to incorporate equality related requirements:</p> <ul style="list-style-type: none"> Amending relevant forms and guidance to ensure systematic coverage of due regard for equality in decision making Improving representation of Voluntary Sector and BME community on a key decision making panel Use recruitment to Locality Boards as an opportunity to improve representation of disabled people, BME citizens and other underrepresented groups in decision making – Lianne Taylor, timescales subject to Locality Boards development process.
Men, women (including maternity/pregnancy impact), transgender people	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Disabled people or carers	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
People from different faith groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Lesbian, gay or bisexual people	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Older or younger people	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Other (e.g. marriage/civil partnership, looked after children, cohesion/good relations, vulnerable children/adults)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Outcome(s) of equality impact assessment:

No major change needed ☒ Adjust the policy ☐ Adverse impact but continue ☐ Stop and remove the policy/proposal ☐

Arrangements for future monitoring of equality impact of this proposal / policy / service:

Based on these changes, all further Council reports including proposals for new or changing policies or services (including any further reviews of the constitution and/or financial regulations) will be subject to equality impact assessment where appropriate.

Diversity profile of locality boards to be monitored – Lianne Taylor.

Approved by (manager signature): Glen O'Connell, Director of Legal and Democratic Services.
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