

APPENDIX 2

OFFICERS' RECOMMENDATIONS:

1.1 **Head of Housing Operations-** recommendation to delete the 'Senior Officers Panel Terms of Reference' from the Constitution. This was included in the Constitution 2 years ago following the re-integration of the housing trust back to the Council. It is considered that this is entirely operational and there is no legal or governance requirement for this to be embodied within the Constitution. It is recommended that this is removed from the Constitution and delegated to the Head of Housing Operations and Head of Community and Housing Strategy to agree, as there are overlaps in both services.

1.2 **Head of Law and Administration-** recommendation to share the delegation for 'Institution of legal proceedings for housing rent arrears claims only' with the Head of Housing Operations, to enable authorised housing officers to directly issue claims on the possession claims on-line system at the county court for rent arrear matters only. This will speed up the process as the core data originates from housing services.

In order to commence a legal action for recovery of housing rent arrears, currently the legal team will institute the matter on-line through a court application called 'Possession Claims On-line' (PCOL). This is an administrative process actioned by a non-legally qualified (but trained) member of staff within the legal team. All the data to commence the claim originates from housing services. In some other councils, the commencement of these possession claims are undertaken directly by housing services. Arising from the recent housing operations transformation, it has been confirmed that the service is now currently resourced to enable it to deal with this area. It is therefore proposed that this delegation is shared with the Head of Housing Operations, to enable that service to commence PCOL claims but only for housing rent arrears cases. Any matter that does not relate to rent arrears alone will continue to be instituted by the legal team only.

1.3 **Governance Services Manager-** recommendation that the current Overview and Scrutiny Rules are immediately regularised to allow membership of both Scrutiny Sub-Committees and Scrutiny Policy/Review Groups to be drawn from all councillors and not restricted to the appointing committee. At present membership of a Scrutiny Sub-Committee can be drawn from all of the Councillors and is not restricted to the appointing Committee. However, it appears to be an anomaly that the membership of a Scrutiny Policy/Review group is limited to that of the appointing scrutiny committee. The proposal is to change this so that membership of a Scrutiny Policy/Review group can be drawn from all of the Councillors and is not restricted to the appointing Committee.

1.4 **Head of Public Health and Protection-** recommendation that the power to issue fixed penalty notices under Section 47 of the Environmental Protection

Act 1990 is shared with the Head of Environment to whom the power is currently delegated, as this is an area where the services have an overlap of responsibility.

- 1.5 **Head of Public Health and Protection** – recommendation to add new enforcement powers relating to animals. To add to the delegated powers of the Head of Public Health- 'Enforcement powers under the "The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018".'
- 1.6 **Head of Law and Administration-** recommendation to amend Article 14 'Finance, Contracts and Legal Matters' as follows: **(please note: bold type denotes proposed changes)**. This will mean that the sealing of documents will require attestation by one person unless above a £500,000 threshold when it will require attestation by two people.

14.5. Common Seal of the Council

The Common Seal of the Council will be kept in a safe place in the custody of the Head of Law and Administration. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Head of Law and Administration should be sealed or in relation to the procurement of goods and services, for contracts valued at £100,000 or over. The affixing of the Common Seal will be attested by **any one of the following persons: the Mayor, Chief Executive, Corporate Director (Public Protection, Planning and Governance), Corporate Director (Resources, Environment and Cultural Services), Head of Law and Administration, Legal Services Manager, or any other person duly authorised by the Head of Law and Administration.**

For any contracts valued at £500,000 or over, the affixing of the Common Seal will be attested by any two of the above persons.

An entry of every sealing of a document shall be made and consecutively numbered in a register to be provided for the purpose and shall be signed or initialled by the person who has attested the seal.